



Date: Wednesday, 5th July, 2017 at 1.30 pm

Venue: Jim Cooke Conference Suite, Stockton Central Library, Stockton on Tees, TS18 1TU

Cllr Norma Stephenson
O.B.E(Chairman)
Cllr Mick Stoker(Vice-Chairman)

Cllr Helen Atkinson
Cllr Nigel Cooke
Cllr Lynn Hall
Cllr Paul Kirton
Cllr Marilyn Surtees
Cllr Mrs Sylvia Walmsley

Cllr Carol Clark
Cllr Gillian Corr
Cllr Elsi Hampton
Cllr Tracey Stott
V Vacancy
Cllr David Wilburn

AGENDA

1 Evacuation Procedure

Procedure 24K/bytes attached [Page 1]

2 Apologies for absence

3 Declarations of Interest

4 17/0872/FUL

42 Junction Road, Norton

Erection of a pair of semi-detached properties to the rear of 42 Junction Road with proposed access from Grantham Road

Committee Report attached.....[Page 3]

Appendices attached.....[Page 17]

5 17/0103/FUL

Land At Thorntree Farm And Rear Of 93 Bassleton Lane, Thornaby

Residential development comprising the erection of two houses and five bungalows plus associated garaging and parking.



Committee report attached.....[Page 21]
Appendix 1 - Planning documents attached.....[Page 53]
Appendix 2 - Previous appeal decision attached.....[Page 61]

6 17/0909/REM
Wynyard Village Extension - Phase A, Wynyard,
Reserved matters application the erection of 138
dwellinghouses.

Committee report attached.....[Page 67]
Appendix 1 - Site Layout attached.....[Page 91]
Appendix 2 - Block plan attached.....[Page 93]
Appendix 3 - House types attached.....[Page 95]

7 17/0919/REM
Low Lane, High Leven
Reserved matters application for the appearance, landscaping,
layout and scale, for residential development of 55 no.
dwellingings.

Papers to follow

8 1. Appeal - Mr Richard Attwood - 11 The Rigg, Yarm, TS15 9XA
16/3017/FUL - DISMISSED
2. Appeal - Mr John Foster - The Stables, Thorpe Road, Carlton,
Stockton-On-Tees, TS21 3LB
16/1545/COU - DISMISSED

1 Appeal attached.....[Page 103]
2 Appeal attached.....[Page 105]

- * Exempt Item
- ± Delegated item



Members of the Public - Rights to Attend Meeting

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

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

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

Members' Interests

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

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

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

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

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

Disclosable Pecuniary Interests

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



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

Jim Cooke Conference Suite, Stockton Central Library

If the fire or bomb alarm should sound please exit by the nearest emergency exit. The Fire alarm is a continuous ring and the Bomb alarm is the same as the fire alarm however it is an intermittent ring.

If the Fire Alarm rings exit through the nearest available emergency exit and form up in Municipal Buildings Car Park.

The assembly point for everyone if the Bomb alarm is sounded is the car park at the rear of Splash on Church Road.

The emergency exits are located via the doors between the 2 projector screens. The key coded emergency exit door will automatically disengage when the alarm sounds.

The Toilets are located on the Ground floor corridor of Municipal Buildings next to the emergency exit. Both the ladies and gents toilets are located on the right hand side.

DELEGATED

AGENDA NO

PLANNING COMMITTEE

5 July 2017

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

17/0872/FUL

Rear Of 42 Junction Road, Norton, TS20 1PW

Erection of a pair of semi-detached properties to the rear of 42 Junction Road with proposed access from Grantham Road

Expiry Date 5 July 2017

SUMMARY

The application site is located within the rear garden of 42 Junction Road, Norton and the proposal is for a pair of three bedroomed semi-detached properties with access from Grantham Road, a cul-de-sac located off Junction Road.

The dwellings will be two and a half storeys (rooms in the roof), with a pitched roof design and projecting bay window detail on the ground and first floor front elevations. The properties will have a maximum ridge line roof height of 9.2 metres. Both properties will have driveways located to the side. The proposal will include the removal of several trees within the rear garden of the application site.

The main considerations with this application are the principle of the development, the effects on the privacy and amenity of the neighbouring properties, the effect on the character and appearance of the street scene, the effect on highway safety and any other matters.

The application site is located within the limits of development. The Council is currently unable to provide the 5 year housing supply and the guidance set out in the NPPF encourages sustainable forms of development whilst not specifically discouraging development within rear gardens. Previous planning permission have been approved within the rear gardens of properties along Junction Road and taking these factors into consideration the principle of the development is considered acceptable.

Objection comments have been received from properties along Junction Road, Whitfield Road and Grantham Road in terms of a number of issues which include the impact of the character of the area, loss of privacy/daylight, being overbearing, parking provisions and traffic impact.

With regards to the material planning considerations the proposed dwelling are considered to be of an adequate design and articulate certain features that exist within the street scene and general character of the area. The separation distances to the neighbouring properties are also considered appropriate and will not adversely impact the privacy and amenity of the host property or the neighbouring properties. Adequate parking is provided within the site and suitable access with the required visibility splays are also provided.

The proposal is therefore deemed to be in general accordance with the National Planning Policy Framework and the Development Plan and therefore is recommended for approval subject to the conditions set out in the report.

RECOMMENDATION

That planning application 17/0872/FUL be approved subject to the following conditions and informatives:-

1 **Approved Plan**

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

Plan Reference Number	Date on Plan
P3466/SITE	28 March 2017
P3466/01	28 March 2017
P3466/03A	30 March 2017
P3466/02B	8 May 2017

Reason: To define the consent.

2. **Materials**

Prior to the commencement of the development, the materials used in the construction of the walls and roof of the development, hereby approved, shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

3. **Boundary treatment**

Notwithstanding the submitted plan details, prior to the commencement of development, details of the enclosures shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

Reason: In the interests of the visual amenities of the locality.

4. **Permitted development rights restriction**

Notwithstanding the provisions of classes A, B, and C of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment)(No. 2) (England) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way without the written approval of the Local Planning Authority

Reason: To ensure there is adequate in curtilage parking provision in the interests of highway safety.

5. **Visibility splays**

The visibility splays approved on plan P3466/02B dated 8 May 2017, shall be retained for the lifetime of the development, unless otherwise agreed with the Local Planning Authority.

Reason : In the interests of highway and pedestrian safety.

8. **Hard landscaping**

Prior to the commencement of the hereby approved development a scheme for all hard landscaping works shall be submitted to and be approved by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme and implemented in full prior to the development being brought into use.

Reason: To enable the Local Planning Authority to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

7. **Soft Landscaping**

Notwithstanding the submitted information, prior to the commencement of the development a detailed planting scheme shall be submitted to and approved in writing by the Local Planning such a scheme shall specify final tree/shrub types and species, stock size, numbers and densities. The approved planting scheme shall be implemented and completed in accordance with the approved details with the soft landscaping works being carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

8. **Unexpected Land Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

Reason: To ensure a satisfactory form of development

9. **Hours of Construction and demolition**

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

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

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application

Informative 2: Northern Gas Networks

Northern Gas Networks have advised that there may be apparatus in the area that may be at risk during construction works and the applicant should contact them directly to discuss their requirements and should diversionary works be required these will be fully chargeable.

SITE AND SURROUNDINGS

1. The application site is located within the rear garden of 42 Junction Road, a large detached property located on the corner of Junction Road and Grantham Road.
2. The adjacent property to the north is 4 Grantham Road with the eastern boundary to the rear being shared with 40 Junction Road, 3,5,7 and 9 Whitfield Road. Opposite the site are 3 and 5 Grantham Rad and the rear garden of 44 Junction Road.

PROPOSAL

3. The proposal is for a pair of three bedroomed semi-detached properties to be located within the rear garden of 42 Junction Road. The frontage of the properties will face towards Grantham Road with vehicle access taken off Grantham Road.
4. The semi-detached properties will be two and a half storeys (rooms in the roof) which include a pitched roof design with a maximum roof height of 9.2 metres with bay window detailing on the front elevation. Both properties will have separate driveways located to the side. The materials for the properties will be a mixture of brick and render with slate roof tiles.

CONSULTATIONS

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

SBC Highways Transport and Design Manager

General Summary

The Highways Transport and Design manager does not object to the proposals as outlined below, but requests a number of landscape conditions be added to the application.

Highways Comments

The proposed dwellings would take access from Grantham Road; Grantham Road is a residential road with a carriageway width of approximately 4.8m, there is no turning facility and due to some dwellings lacking incurtilage car parking facilities there are high levels of on-street parking. In accordance with SPD3: Parking Provision for Developments 2011, 2 incurtilage car parking spaces are provided for each 3-bedroom house. There would be no scope to provide additional parking for the proposed dwellings therefore given the high levels of on-street parking it is suggested that the number of bedrooms be restricted by condition to no more than 3, and permitted development rights be removed. The revised site plan shows pedestrian visibility splays of 2m x 2m (where land ownership allows) to either side of the proposed drives, these should be retained thereafter.

Landscape and Visual Comments

The submitted layout plan shows the location of the proposed new dwellings facing onto Grantham Road. The new dwellings follow the existing building line on Grantham Road with small front gardens separating the properties from the footpath. The proposed dwellings are similar in style and appearance to the existing properties in terms of design. However they are significantly smaller than the existing dwellings which may detract from the streetscape and the character of the existing houses on Grantham Road. It is considered that the site would therefore before be more suited to a single dwelling only.

The submitted tree survey information is very basic, however the Council's Principal Tree and Woodlands Officer has reviewed the information and acknowledges that the trees are of low amenity value internal garden plantings, that do not contribute to the wider landscape character and amenity value and therefore cannot be protected by a tree preservation order. However it is requested that some mitigation tree planting be undertaken within the gardens of the new dwellings to offset the loss of existing trees.

Should the application be approved full details of all hard and soft landscaping, boundary treatments, gates and materials will be required. The suggested condition wording is included below.

Informative

- Landscaping Hardworks
- Enclosure
- Soft Landscaping

Private Sector Housing

No comments received.

Northern Powergrid

No Comments received

National Grid

National Grid has No Objection to the above proposal which is in close proximity to our high voltage transmission underground cable. I have enclosed a location map to show the location of National Grid high voltage transmission underground cables within the vicinity of your proposal and associated information below.

Environmental Health Unit

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

- Unexpected Land Contamination
- Construction/ Demolition Noise

Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Northumbrian Water Limited

Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

Councillor D Wilburn

I have received representation from a number of local residents re the above. Concerns expressed include:

- Grantham Road is particularly narrow and a further 2 driveways close to Junction Road will greatly reduce areas used currently for parking and the delivery of goods and materials to local houses making a very difficult situation for those exiting or entering from Junction Road, worse.
- It is assumed that the access to/from the new housing estate on the Education Centre site will be virtually opposite Grantham Road and this new development will greatly increase the problem of exiting onto Junction Road
- A number of residents believed this would be a major over development of the site and that given the height (3 stories) would be oppressive and overlook nearby gardens giving loss of amenity to neighbouring properties.
- A number have expressed puzzlement at the Application Form's claim that there are no trees or bushes involved in the works as this property is noteworthy, and much praised, for the number of trees and bushes on the site and the wildlife this encourages. It is probably wise to instigate a formal survey of trees and bushes to map these before any works are considered/approved.

Residents would be grateful that the above issues are included in any consideration of this site for the described development.

Councillor N Wilburn

I would like to register my objection to the development of the back garden of 42 Junction Road, Norton. The main reasons for my objection are as follows:

- The narrowness of Grantham Road which already has vastly insufficient parking for its existing residents. In addition the part of Grantham Road from which the entry and exit of the proposed new dwellings would occur is the only part of the road which allows a 3 point turn for delivery vehicles which frequently need to reverse down the road having delivered at

- houses further up. Adding additional entrances at this part of the road would reduce the option of vehicles being able to make these manoeuvres resulting in potential traffic hazards.
- The effect the additional dwelling and consequent number of cars exiting and entering Junction Road might have on the already heavy Junction Road traffic particularly considering the likely development of the Education Centre site.
 - The height of the proposed properties (3 storeys) would be overbearing on neighbour's properties resulting in a loss of their amenity.
 - Loss of trees and bushes on the site which have been in situ for many years and provide habitat for local wildlife.

I would be grateful for acknowledgement of my objection which I believe may be outside of the period for the general public to make representation?

MP Alex Cunningham

I very much share the concerns of local residents and objectors to the above application which is far from compatible with the local area and is considerable overdevelopment on a very restricted site.

This is an established older housing area and two, three story modern houses, will be incongruous and detract from the look of the street- and with the removal of trees, other vegetation and an attractive wall, the whole aspect will be compromised. Such high imposing properties will also have a detrimental effect on the privacy of other local people.

I am aware that other back garden developments along Junction Road have been allowed in recent times but this one is quite different as there is not access onto the main road and depends on a side entrance.

There are also already considerable challenges in the Grantham Road area particularly in relation to congested parking and entering/leaving the street and additional vehicles can only add to them particularly with the site being in close proximity to the junction.

Junction Road has become if increasingly busy and is projected to get busier still as more homes are built in the area. I believe that with the substantial development in the immediate area on the site of the former Education Centre across Junction Road will offer potential residents the opportunity to buy property in Norton and there is therefore no need for two houses in another property's back garden.

I would hope that the Planning Authority would recognise the proposal as overdevelopment on a garden site, which will have detrimental effect on the environment and look of the area as well as adding to already difficult access and parking.

PUBLICITY

6. Neighbours were notified and letters of objection were received from the 25 addresses detailed below with the main objections summarised below. Full details can be viewed at <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

Jayne Yellow, 3 Grantham Road, Norton
Mark Ewing, 3 Grantham Road, Norton
Mark Shepherd, 4 Grantham Road, Norton
Wendy Shepherd, 4 Grantham Road, Norton
Jill Hampton, 5 Grantham Road, Norton
Ms Sharon Davison, 6 Grantham Road, Norton
Ms Karen Cruickshank, 7 Grantham Road, Norton
John Ranson, 8 Grantham Road, Norton
H R Motson, 10 Grantham Road, Norton
Mark and Barbera Smith, 44 Junction Road, Norton
Donald Robertson, 7 Whitfield Close, Norton

Neil Mcaulay, 13 Whitfield Road, Norton
Tony Lannon, 22 Kilwick Close, Billingham
Peter Davison, 36 Imperial Crescent , Norton
David Walker, 12 Grantham Road, Norton
Mr McNaughton, 17 Grantham Road, Norton
Mr K Roberts, 19 Grantham Road, Norton
Margaret Saul, 20 Grantham Road, Norton
Helen Davison, 21 Grantham Road, Norton
Mark Coleman, 22 Grantham Road, Norton
Liz Holt, 7 Foston Close, Norton
Jane Brand, 67 Ashton Road, The Glebe, Norton
Stephen Gordon, 73 Buckthorn Crescent, Stockton
Alexander Ewing, 31 Clifton Avenue, Billingham
Scott Meikle, 9 Portman Rise, Guisborough

7. The main reasons for objection are :

Tree Survey

- Tree survey completed by individual who has a National Diploma in Arboriculture, not to BS5837 standards.
- No mention of the pond
- Request TPO's be placed on the trees by independent body
- Existing trees have public amenity value
- Trees and bushes on the site provide a green corridor
- Detrimental impact on character if trees removed.
- Removal of trees would impact on privacy to properties along Whitfield Road
- Variety of trees have value to the local wildlife as set out in The Woodlands Trust and The Wildlife Trust websites.
- Survey mentions future root and drain damage to 4 Grantham Road which is incorrect.

Highways

- Additional congestion created in cul-de-sac
- Existing parking issues with properties in Grantham Road not having driveways and visitors and trades people using this end of the road as overflow parking area.
- Existing problems in turning cars in street
- Existing congestion on Junction Road with problems exiting Grantham Road
- Access to 4 Grantham Road already difficult
- Emergency vehicle, Local Authority hospital shuttle and delivery vehicle access issues
- Pedestrian safety issues with pavement parking.
- New houses and their driveways access will reduce the available parking at this end of Grantham Road
- Parking provision shown as 4 cars but driveway width means in reality would park on the road.
- Construction traffic issues with reversing on Junction Road, dangerous due to location of traffic island
- Future developments at former Education Centre and Blakeston Lane will add to parking issues
- Proximity of the driveways to the junction of Junction Road creates potential hazard for vehicles
- Applicant should use his own driveway as a shared driveway for the new dwellings

Visibility splays

- Out of character with the area
- Splays make no difference in terms of access, parking and traffic issues
- Only addresses 75% of the visibility issues as still issues in terms of the boundary fence with 4 Grantham Road

Character and Appearance

- Detract from the 1930's design and character of Grantham Road
- Set a precedent no other corner plot development along Junction Road
- Slate roof materials not in character with the street scene
-

Amenity issues

- Loss of privacy to rear gardens of 42 Junction Road and 7 Whitfield Close
- Loss of light to rear garden of 42 Junction Road and 4 Grantham Road
- Restrictive covenant in deeds for 4 Grantham Road mentions nothing should be done to obstruct light through any of the windows on the north and south sides of the property.
- Loss of view
- Future maintenance of the boundary fence with 4 Grantham Road
- Dirt and gravel from construction
- Noise issues with removal of trees that buffer the noise from Junction Road and from additional vehicles coming down the street
- Impact on the drains

Development need

- No requirement for this high density development with future development of the education centres
- 3 unoccupied properties along Grantham Road so do not require more housing

Restrictive covenants

- 1930 houses often have restrictive covenant and this need to be examined

PLANNING POLICY

8. 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

9. National Planning Policy Framework

Paragraph 14

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

Paragraph 17

„...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings“ Paragraph 19. The Government is committed

to ensuring that the planning system does everything it can to support sustainable economic

growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system

Paragraph 49

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

Paragraph 56 '...good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

Local Planning Policy

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

Core Strategy Policy 1 (CS1) - The Spatial Strategy

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.

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

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.

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

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

- Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

Saved Policy HO3 of the adopted Stockton on Tees Local Plan

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

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

MATERIAL PLANNING CONSIDERATIONS

11. The main considerations with this proposal are the principal of the development, the effects on the privacy and amenity of the neighbouring properties, the effect on the character and appearance of the street scene, the effect on highway safety and any other matters.

Principle of development

12. The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and through its core planning principles encourages the planning system to promote economic development including the provision of new housing, seeking high quality design and reusing land that has been previously developed.
13. Paragraph 49 of the NPPF sets out that Local Authorities need to be able to demonstrate a 5 year supply of deliverable housing sites and where this cannot be demonstrated the relevant policies for the supply of housing should not be considered up-to-date. As the Local Planning Authority cannot currently demonstrate a 5 year housing land supply, the provision of two dwellings cannot be given significant weight as a result of the limited scale, it does nevertheless weight in favour of the proposed development. Although garden areas are not included within the definition of previously developed land it does not specifically preclude the development of garden areas and each application should be assessed on their own merits and in line with the development plan.
14. With regards to the development plan, the application site lies within the limits of development. As set out in saved Local Plan Policy HO3 new housing will be considered acceptable within the limits of development providing it accords with the criteria set out in policy HO3.
15. It is noted that the majority of the properties along Junction Road have large rear garden areas which form part of its character. However, planning approvals have been granted for new dwellings within the rear gardens at 85 Junction Road (12/2949/FUL) and 101 Junction Road (04/1370/FUL). In view of the above and given the location and siting of the two semi-detached properties alongside existing properties within Grantham Road, the proposed dwellings in this location are considered to accord with the policies of the NPPF and the development plan. Consequently the principle of development is considered to be acceptable.

Residential Amenity

16. The National Planning Policy Framework comments within paragraph 17 that one of the overarching roles of the planning system is that any new development should 'Always seek to secure high quality design and good standard of amenity for all existing and future occupant of the land and buildings.'
17. Objection comments have been received regarding loss of privacy, loss of light and potential overbearing impact to existing properties along Junction Road, Whitfield Road and Grantham Road. In assessing such impacts it is noted that the rear boundary of the site is shared with 3,5,7 and 9 Whitfield Road and 40 Junction Road. There will remain a minimum separation distance of 24 metres between the proposed properties and Whitfield road and a minimum of 34 metres to the rear of 40 Junction Road which accords with the recommended 21 metre separation guidance set out in SPG 2 in terms of acceptable privacy distances.
18. Opposite the site is 3 Grantham Road and the rear garden of 44 Junction Road. The proposed dwellings will be sited a minimum of 17 metres from 3 Grantham Road. Despite this distance being less than the 21 metre guidance in SPG2 this is guidance only and the existing properties along Grantham Road have a separation distance of 17 metres it therefore reflects the existing situation of the street scene. The proposed dwellings will only face towards a small section of the rear garden of 44 Junction Road with 24 metres remaining to their rear elevation windows and it is considered will not have a significant impact on the privacy of this garden area.
19. There will be six metres between the proposed dwellings and the side elevation of 4 Grantham Road which is a comparable separation distance which exists between the existing semi-

detached properties along Grantham Road. The proposed dwellings will have no windows on the side elevation facing these neighbours. The windows located on the front and rear elevations of the proposed dwellings including the roof lights to the second, will be at an oblique angle to the front and rear gardens of the neighbours with the majority of the neighbours rear garden remaining private.

20. The host dwelling (42 Junction Road) is positioned 14 metres from the application site. Given the fact there are no windows on the side elevation of the proposed dwelling and that the windows on the rear will only provide limited views of a small area of the host property, there is considered to be no issues in terms of privacy on the host property.

Character and appearance

21. The guidance set out in paragraph 17 of the National planning Policy Framework (NPPF) states that one of the twelve key principles planning should take account of is to '....always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Further guidance is set out in paragraph 56 of the (NPPF) which states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'
22. The application site is located within the rear garden of a large detached property at **42** Junction Road. Grantham Road (which is a cul-de-sac) which itself contains a mixture of two-storey semi-detached properties. The predominant character of the properties along Grantham Road is also that that the frontages have projecting ground and first floor bay window detail although there are a mixture of roofing designs. The materials generally consist of brick detailing on the ground floor and render above, with single storey garages to the side and low boundary walls to the front.
23. The proposed development is for two semi-detached properties to be located towards the northern boundary of the site. Whilst comments from objectors regarding the design of the properties are noted, the proposed properties are semi-detached properties with a similar pitched roof design to the those elsewhere in the street scene. Further the bay window design and entrance door detailing on the front elevation of the properties along with an appropriate choice of materials is considered to fit in with the existing character and appearance of the street scene.
24. The proposed building line is also comparable to those along Grantham Road with a small garden area to the front. Whilst comments regarding an overdevelopment of the site are noted. The host property has a large garden to the rear and sufficient space remains (measuring approximately 12 metres by 22 metres). The proposed dwellings themselves will have a small garden area to the front with a rear garden area of approximately 12 metres length. Given the overall site layout the proposal is not considered to be an overdevelopment of the site.
25. The submitted tree survey has been assessed by the Council's Principle Tree and Woodland Officer who has confirmed that the trees within the site are of low amenity value and do not contribute to the wider landscape character. In terms of their amenity value they are not worthy of Tree Preservation Orders, although it is advised that there should be some replacement tree planting provided which can be achieved through the imposition of a landscaping condition.

Highway Safety

26. The proposal will have individual driveways located to the side and the required highway and pedestrian visibly splays have been demonstrated on a submitted plan. Despite the objectors received with regards to parking and highway safety the Highways Transport and Design Manager thereofre has no objections to the scheme as two incurtilage car parking spaces will be provided for each dwelling in accordance with the guidance set out in SPD3- Supplementary Parking Provision for Developments.

27. Consideration has also been given to the width of the cul-de-sac and the current limitations on parking within the street, whilst comments with regards to restricting the number of bedrooms are noted, the use of any room within the house is a matter for the future occupants and any change to the 'use' of any rooms is not classed as development and so cannot be controlled via a condition. However, in order that extensions are not added without planning approval, it is recommended that the permitted development rights be removed to prevent any potential for increases in bedroom provision or reduction in available parking provision.
28. Visibility splays of 2m x 2 metres (where land ownership allows) are shown on either side of the driveway. The highway transport and Environment Manager considered that the location of the fence to the side of 4 Grantham Road does not make the existing situation for these occupants any worse and therefore considered the visibility splays provided to be acceptable. A condition will be placed on the application that the splays should be retained for the lifetime of the development.
29. The proposed development is only for 2 dwellings and therefore a construction management plan would not be requested with the applicant being responsible for the organisation of construction vehicles to the site.
30. Any future development of the former Education Centre and Blakestone Lane will be considered in terms of their impact on highway safety and parking provision. With this proposal being for only 2 additional dwellings any additional potential impact in terms of congestion along Junction Road is not considered to be significant.

Residual matters

31. Objection comments have been received regarding restrictive covenants on the properties along Grantham Road. Restrictive covenants are a separate legal issue and are not a material planning consideration which can be considered as part of the application.
32. Concerns have been raised as to the future maintenance of the boundary fence between the site and 4 Grantham Road. The ownership/maintenance of the fence is a civil issue between both parties and is not a material planning consideration.
33. Objection comments have been received regarding the potential issues with the drainages system from the creation of 2 additional properties. The type of proposal falls outside of the scope of matters which can be considered by the Council's Flood Risk officer and Northumbrian Water have been consulted and have no comments on the proposal.
34. Whilst Objection comments have been received that there are no other developments within the rear garden of corner plots on Junction Road and this would set a precedent, each application is considered on their own planning merits and approval of this application would not necessarily set a precedent for further development of corner plots.
35. Comments have been received that the removal of the trees within the site which act as a buffer to Junction Road would generate additional noise to the residents along Grantham Road. Whilst the trees may have some perceived benefit, the trees could be removed without planning permission and therefore a similar impact could occur regardless of whether the proposed dwellings were constructed or not.

CONCLUSION

36. Overall it is considered that the proposed development is acceptable in terms of appearance, landscaping, layout and scale and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours.

37. It is considered that the proposal is in general accordance with the National Planning Policy Framework and the Development Plan policies and therefore the recommendation is to approve the application subject to the conditions set out in the report.

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

WARD AND WARD COUNCILLORS

Ward	Norton West
Ward Councillor	Councillor David Wilburn
Ward Councillor	Councillor Norma Wilburn

IMPLICATIONS

Financial Implications: None

Environmental Implications: As detailed in the 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

Stockton on Tees Local Plan Adopted 1997

Core Strategy – 2010

Supplementary Planning Documents

SPD1 – Sustainable Design Guide

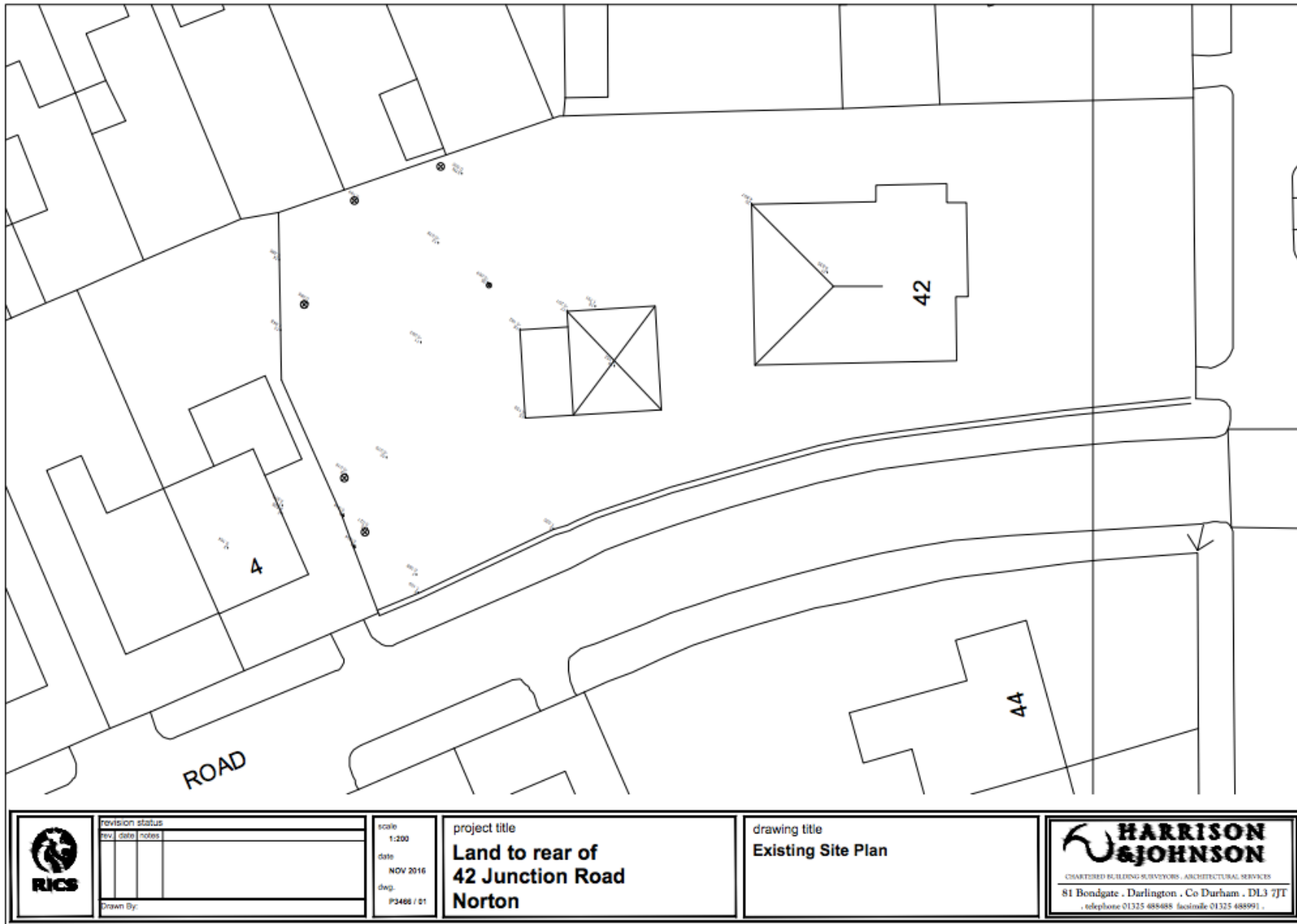
SPD3 – Parking Provision for Developments



Appendix 1 - Site location plan



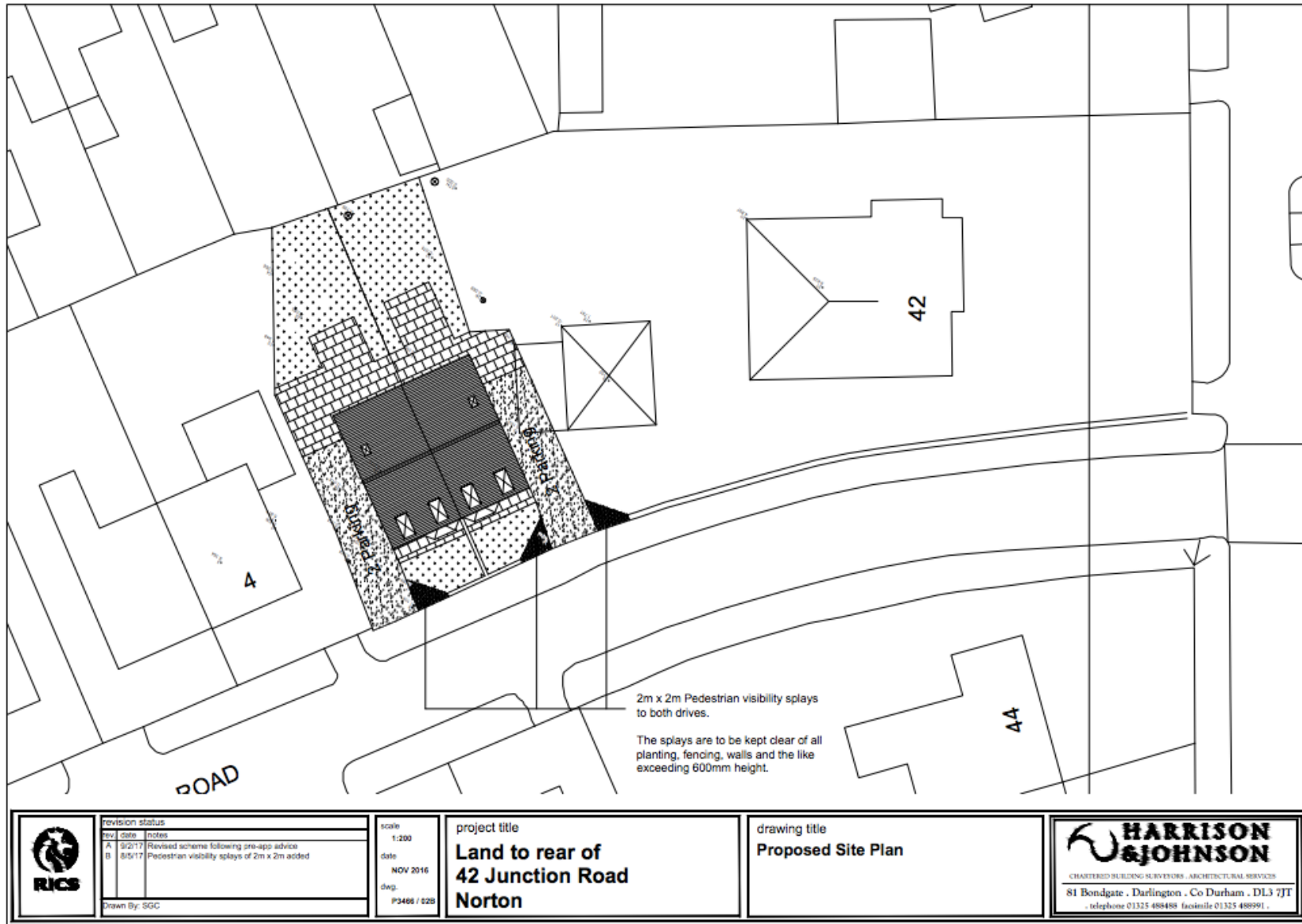
Ordnance Survey (c) Crown Copyright 2016. All rights reserved. Licence number 100022432

Appendix 2 - Existing site plan

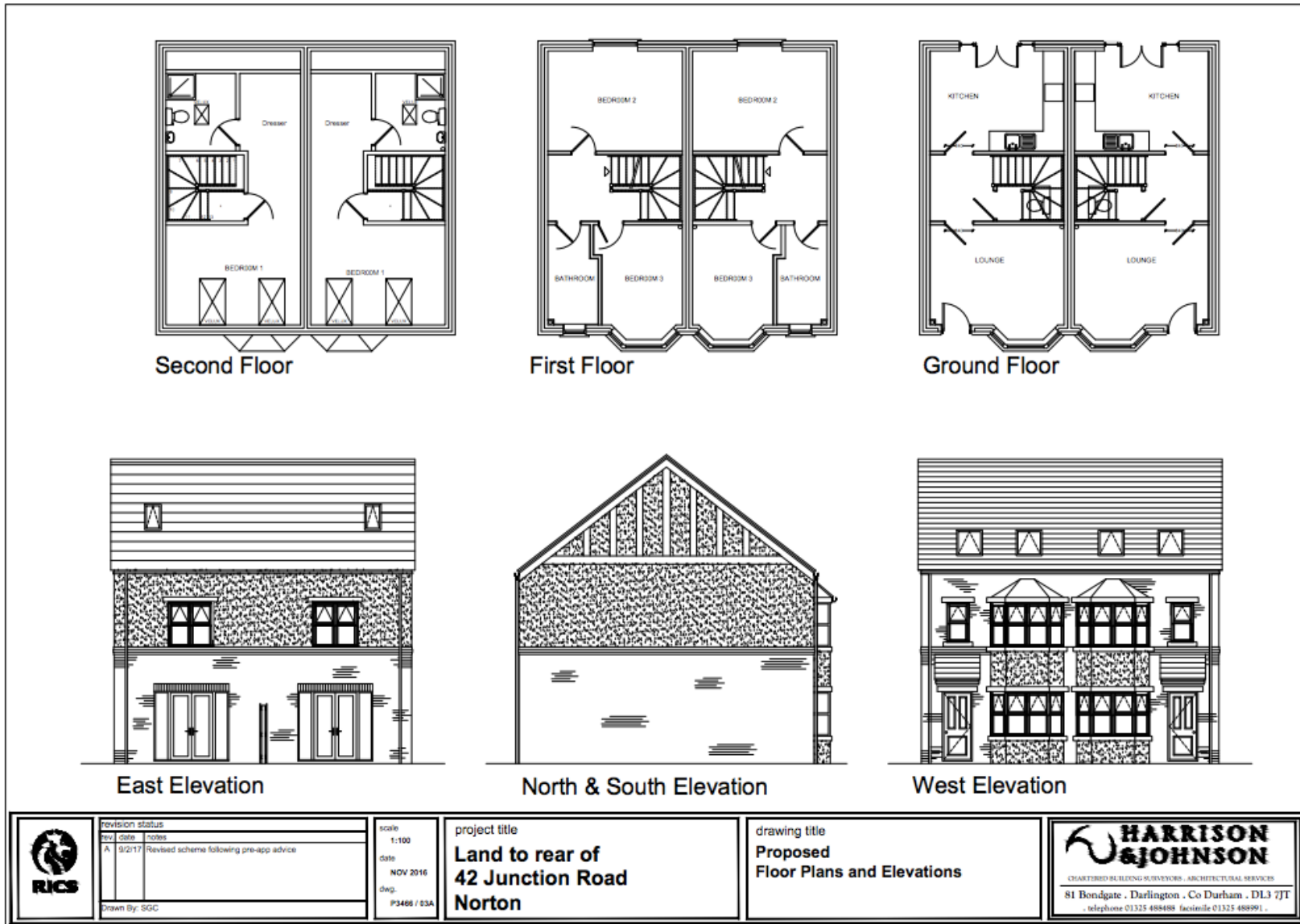




	revision status		scale 1:200 date NOV 2016 dwg. P3486 / 01	project title Land to rear of 42 Junction Road Norton	drawing title Existing Site Plan	 CHARTERED BUILDING SURVEYORS - ARCHITECTURAL SERVICES 81 Bondgate - Darlington - Co Durham - DL3 7JT telephone 01325 488688 facsimile 01325 488991
	rev	date				
Drawn By:						

Appendix 3 - Proposed site plan



Appendix 3 - Proposed floor and elevation plans



	revision status rev. date notes A 9/2/17 Revised scheme following pre-app advice	scale 1:100	project title Land to rear of 42 Junction Road Norton	drawing title Proposed Floor Plans and Elevations	 CHARTERED BUILDING SURVEYORS - ARCHITECTURAL SERVICES 81 Bondgate, Darlington, Co Durham, DL3 7JT telephone 01325 488488 facsimile 01325 488991
	Drawn By: SGC	date NOV 2016 dwg. P3486 / 03A			

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

5 July 2017

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

17/0103/FUL

**Land At Thorntree Farm And , Rear Of 93 Bassleton Lane, Thornaby
Residential development comprising the erection of two houses and five bungalows plus
associated garaging and parking.**

Expiry Date 7 July 2017

SUMMARY

This application seeks planning permission for the erection of 2, two-storey dwellings and 5 bungalows plus associated garaging and parking on land at Thorntree Farm and to the rear of 93 and 95 Bassleton Lane in Thornaby. The proposal also includes the demolition of the Thorntree Farm property. The application site is located within the defined limits to development and part of the site is also within a designated green wedge.

The majority of the site is within the established residential curtilage of 93 Bassleton Lane which is a large garden area enclosed with a high level brick wall. The remainder of the site forms part of Thorntree Farm and its associated parking.

A recent application 14/0787/REV was refused by Planning Committee and dismissed on appeal. The Inspector concluded the scale of harm of the development of this site would be limited given its existing lawful use and defined margins. However it was considered the design shortcomings and the harm that would result to the character and appearance of the immediate area weigh significantly against the proposal.

This scheme reduces the number of units by one and makes changes to the design of the bungalows by breaking up the roof heights and including design features such as chimneys and bay windows.

The Highways, Transport and Design team raises no objections stating the change to the landscape character from development of this site will be negligible and the boundary wall already currently impacts upon footpath users and the addition of development beyond the wall would result in little change from this baseline position where glimpsed views of bungalow roofs will be added to the view. No landscape and visual objections are therefore raised. However, conditions relating to landscaping, lighting and means of enclosure are recommended.

Further, there are no highway objections and the Environmental Health Unit request conditions relating to a scheme for demolition and construction hours. Northumbrian Water and Tess Archaeology have raised no objections subject to appropriate conditions.

Objections have been received from Ward Councillors, and Thornaby Town Council. While 19 letters of objection have been received to date, which are detailed within the main report but

include the impact on the green wedge, the impact on highway safety and network capacity and the demolition of Thorntree Farm. 2 letters of support have been received.

In weighting up the merits of the proposal including the previous appeal decisions the scheme is considered to accord with the general principles of the National Planning Policy Framework and accord with the principles of sustainable development. The imposition of the relevant planning conditions address the impacts of the development and the scheme as proposed is therefore not considered to have an unacceptable adverse impact on the character and appearance of the area or lead to an unacceptable loss of amenity for neighbouring land users. It is also considered that the scheme will not have an adverse impact on highway safety and is satisfactory in respect of other material planning considerations including drainage and ecology. The application is recommended for approval subject to conditions accordingly.

RECOMMENDATION

That planning application 17/0103/FUL be approved subject to the following conditions and informatives below;

- 1. Approved plans***
The development hereby approved shall be in accordance with the following approved plan(s);

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>S289 PL 007 A</i>	<i>19 January 2017</i>
<i>S289 PL 006 B</i>	<i>20 January 2017</i>
<i>S289 PL 005</i>	<i>16 January 2017</i>
<i>S289 PL 002</i>	<i>16 January 2017</i>
<i>S289 PL 001</i>	<i>16 January 2017</i>
<i>S289 PL 003 A</i>	<i>13 March 2017</i>

Reason: To define the consent.

- 02. Landscaping Hardworks***
No development shall commence until full details of proposed hard landscaping have been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority and in accordance with the approved details prior to the occupation of any part of the development.

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

- 03. Landscaping Softworks (Area within the existing walled boundary)***
No development shall commence until full details of the Soft Landscaping have been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in accordance with a scheme of agreed phases or prior to the occupation of any part of the development. Any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be

replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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

04. Disposal of foul and surface water

The development hereby approved shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

Reason; To achieve a satisfactory form of development.

05. Materials prior to above ground construction

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

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development and to comply with saved Policy HO3 of the Stockton on Tees Local Plan.

06. Means of enclosure

No construction of any means of enclosure shall commence until a scheme showing the details of the means of enclosure has been submitted to and approved by the Local Planning Authority. The scheme setting out the means of enclosure shall be implemented before the hereby approved dwellings are occupied and retained in perpetuity.

Reason: In the interests of the visual amenities of the locality in accordance with Stockton-on-Tees Adopted Core Strategy Policy CS3.

07. Scheme for Illumination

Full details of the method of external illumination of buildings facades and external areas of the site shall be submitted and approved in writing by the Local Planning Authority prior to any such lighting being erected on site. Such a scheme shall include Siting; Angle of alignment; Light colour; and Luminance levels. The lighting shall be implemented prior to occupations of any dwelling and be maintained thereafter wholly in accordance with the agreed scheme.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenity of adjoining residents, Highway Safety; and Protection of sensitive wildlife habitats.

08. Recording of a heritage asset through a programme of archaeological works

i) The demolition of Thorntree Farm and any associated buildings shall not commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in

writing. The scheme shall include an assessment of significance and research questions including;

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

ii) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (i).

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

Reason; In the interests of protecting and recording any potential archaeological findings within the site.

09. Demolition and Dust Emissions

Prior to commencement of demolition works, 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.

Reason: In the interest of the amenities of the area

10. Protected Species

The development hereby approved shall be completed solely in accordance with the 'Recommendations' (section 6) of the submitted Preliminary Ecological Appraisal undertaken by Naturally Wild (date received 16th March 2017) unless otherwise agreed in writing with the Local Planning Authority.

Reason; In order to avoid harm to protected species.

11. Removal of permitted development rights - extensions and alterations

Notwithstanding the provisions of Classes A, B, C, and E of Part 1, and Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and amended by the by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, the buildings hereby approved shall not be extended or altered in any way, nor any means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based and to prevent any undue future

impact on the character and appearance of the area and the amenity of adjacent properties in accordance with Local Plan saved Policy HO3 of the Stockton on Tees Local Plan.

12. **Removal of PD Rights - Fences within frontages**
Notwithstanding the provisions of class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) there shall be no walls, fences, railings or other form of boundary enclosures erected between any point taken in line with the properties front elevation and the highway without the prior written approval of the Local Planning Authority.

Reason: To provide a high quality street scene and to comply with saved Policy HO3 of the Stockton on Tees Local Plan.

13. **Unexpected land contamination**
In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

Reason: To ensure the proper restoration of the site and to accord with guidance contained within Stockton on Tees Core Strategy Policy 10 (CS10) - Environmental protection and enhancement

14. **Hours of operation on site**
No demolition/construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

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

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: Working Practices

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

Informative 2: Surface Water Drainage

Northumbrian Water Limited has advised that the applicant should develop a Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:

- o Soakaway**
- o Watercourse and finally**
- o Sewer.**

If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates & points into the public sewer network. This can be done by submitting a pre development enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6646.

Informative 3; Gas Apparatus

Northern Gas Networks have advised that there may be gas apparatus in the area and that the developer contact them to discuss this. Contact details given are as follows; Sandra Collett, Network Records Assistant, 0845 6340508 (option 6)

Informative 4;

The applicant is advised that any trees outside of their ownership and within the ownership of Stockton Borough Council must not be felled or have maintenance works carried out on them without the prior consent of the Council's Tree and Woodland Officers.

BACKGROUND

93 Bassleton Lane

1. **05/3470/FUL**; Planning permission was granted on 2nd February 2005 for the erection of single storey extension to side and rear and change of use of agricultural land to provide extension of garden curtilage. The approved plan detailed an elongated rear garden for both No's 93 and 95, with the main change relating to a parcel of land to the east of the main dwelling (5m x 9m), thereby widening the rear garden.

Thorntree Farm

2. **05/3447/REV**; Retrospective application for change of use from residential dwelling to B1 office and associated car parking was approved, subject to a temporary 2-year consent, on 03.03.2006. Following the lapse of this permission, it was not considered expedient to authorise any further enforcement action.
3. **07/3337/FUL**; An application for residential development of 5 no. bungalows with associated garaging/parking was refused on 22.01.2008 by the LPA on three grounds;

1.The proposed development within an area designated as Green wedge in the adopted Stockton on Tees Local Plan would be contrary to the provisions of Policy EN14 of the adopted Local Plan which states that development will not be permitted which detracts from the open nature of the landscape so as to threaten, by itself or cumulatively, the local identity of the areas separated by the green wedge.

2.In the opinion of the Local Planning Authority the proposed development would be an intrusive form of development in the landscape of Bassleton Beck, harming the character of the surrounding area, contrary to policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan.

3.In the opinion of the Local Planning Authority the proposed development by virtue of the lack of incurtilage parking and excessive drive length would result in vehicles

parking and waiting on the highway to the detrimental of the highway safety along Bassleton Lane, contrary to policy GP1 of the adopted Local Plan

4. The subsequent appeal was dismissed by the Planning Inspectorate (appeal reference APP/H0738/A/08/2069128/NWF, decision dated 27th June 2008). Within the appeal decision, the Inspector commented that *"the appeal site is garden curtilage to 93 Bassleton Lane, and can also be accessed via a field gate from the proposed access, off Bassleton Lane"*. Notwithstanding this, the Inspector dismissed the appeal commenting that the development *"would be clearly visible above the existing 2 metre high boundary wall, when viewed from the outside the site. While the existing wall has introduced built development into this otherwise open area, it is only 2 metres in height and inside the garden is open, with no buildings"*. The Inspector noted that the proposed bungalows *"would appear large and at odds with the open and rural character of the Bassleton Beck area which bounds the site on three sides...the proposal would seriously detract from the open nature of the landscape within the green wedge and the local identity and setting of the settlements that it separates"*.

Recent site history

5. **13/0652/CPE**; A Certificate of Lawfulness was issued on 13th May 2013 as the applicant was able to demonstrate that the existing use of land to the south of 93 Bassleton Lane (to which the majority of the current application site relates) had been utilised and maintained as a residential garden area for a continuous 10 year period without the Local Planning Authority taking action.
6. **13/2942/FUL**; An application for Residential development comprising the erection of two houses and six bungalows plus associated garaging and parking (demolition of Thorntree Farm) was withdrawn on 15th January 2014 as concerns were raised with respect to the siting of plots 7 and 8 along the adjacent south east boundary in respect of existing trees on the other side of the boundary wall (the majority of which fall within the Council's ownership).
7. **14/0787/REV**; A revised application for residential development comprising the erection of two house and six bungalows plus associated garaging and parking (demolition of Thorntree Farm) was refused by Planning Committee on 7th May 2014 for the following reason;

"In the opinion of the Local Planning Authority the scale and mass of the proposed development would appear large and at odds with the open and rural character of the Bassleton Beck area which bounds the site on three sides and forms part of the Tees Heritage Park. The proposal would seriously detract from the open nature of the landscape within the green wedge and the local identity and setting of the settlements that it separates and is therefore contrary to the Stockton on Tees Adopted Core Strategy Policy 10 (3ii)."

8. The subsequent appeal was dismissed by the Planning Inspectorate (appeal reference APP/HO738/W/14/2223808, decision dated 23 March 2015). Within the appeal decision the Inspector states that although the gardens to the rear of 93, 95 Bassleton Lane and Thorntree Farm are set within an area enclosed by a high brick wall, they are generally undeveloped and open. The wall that encloses the rear of the site does reduce its openness but the land is not closely related to development, other than the wall. It appears as a pocket of open land that is not intimately associated with the urban form of the settlement but it is also distinct from the amenity area within the green wedge. The rear section of land, which forms much of the proposed development site, does make a significant contribution to the openness of the green wedge...however... as it is enclosed and in private ownership it makes little contribution to general amenity.
9. The Inspector stated that the effective extension of the settlement would not be a positive feature but that the scale of harm to the green wedge would be limited given the sites existing lawful use. The development would have however resulted in harm to the openness of the

green wedge...and would have failed to provide a satisfactory transition between the two areas. Concern was also raised that the housing proposed would be of very limited design quality. The design shortcomings and the harm that would result to the character and appearance of the immediate area therefore weighed significantly against this proposal. The Inspector then concluded that the harm that would result to the character and appearance of this area would be sufficient to significantly and demonstrably outweigh the benefits and dismissed the appeal.

SITE AND SURROUNDINGS

10. The application site relates to a parcel of land to the south and west of Thorntree Farm, 93 and 95 Bassleton Lane (the application site includes Thorntree Farm). The majority of the land falls within the established residential curtilage of 93 Bassleton Lane (as per the Certificate of Lawfulness) and consists of a large, enclosed garden area with sporadic tree planting within the site. This element of the site is enclosed by a brick wall that varies in height along the boundaries to the south, east and west, ranging from 1.79m (min.) to 2.17m (max.) in height.
11. Thorntree Farm itself is a large detached building which has been modified with a number of alterations and extensions. To the immediate west/south west of Thorntree Farm is a car parking area (gravel/hard standing) used by employees of the business and this also forms part of the current application site.
12. To the east of Thorntree Farm are No's 93 and 95 Bassleton Lane, which are also within the applicant's land ownership. No 91 Bassleton Lane is present to the north/front of No 93. These properties are served by a shared driveway, served from Bassleton Lane. To the north of Thorntree Farm is No 89. Residential properties are present to the north (along Bassleton Lane) and to the north west along Barkston Avenue and Axton Close. Beyond the eastern and southern perimeters of the site is woodland, consisting tree planting and soft landscaping. Beyond the western boundary is a footpath that extends into the Green Wedge.

PROPOSAL

13. This application seeks planning permission for the erection of two houses and five bungalows plus associated garaging and parking on land at Thorntree Farm and to the rear of 93 Bassleton Lane.
14. The scheme includes the demolition of Thorntree Farm. The proposal consists of two, 2-storey, 4-bed dwellings (plots 1 and 2) on the site of the existing Thorntree Farm. The proposed dwellings would measure approximately 9.7m in length x 8.5m width x 7.4m in height with a dual pitched roof design. The frontage would feature a projecting pitched roof gable element and bay window, an integral garage and first floor windows. The proposal would feature windows and doors in the rear elevations.
15. Proposed plots 3,4,5 and 7 are 3-bed bungalows. This bungalow type would measure approximately 5.2m in height at the maximum (2.3m to eaves) x 10.8m in width x 12.7m in length. Plot 3 has a detached single garage with plots 4 and 5 sharing a double garage as are plots 6 and 7. Plot 6 is a larger, T shaped 3-bed bungalow, sited within the south east corner of the site. The submitted plans indicate a maximum roof height of approximately 4.8m (eaves approx. 2.3m) x 15.4m x 12m maximum. The property would be served by a detached double garage, shared with plot 7.
16. The proposed access would extend from Bassleton Lane past the western elevation of the two dwellings to serve 5 detached bungalows, which consist of 2 different bungalow types.

CONSULTATIONS

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

Councillor Mick Moore

My objections are the same as to planning applications 13/2942/Ful 14/0787/REV

The site is part of the green wedge separating the communities of Thornaby and Ingleby Barwick and should remain so. The site is also within the Tees Heritage Park to permit these small unprecedented developments would be in contravention of SBC core policies.

SBC Local Plan - Point 2.50 Regeneration and Environment Local Development document states - The function of the Green Wedge is to prevent the coalescence of communities within the built up areas (thus maintaining their individual identities). This policy seeks to improve the appearance of Green Wedge by maintaining openness.

Planning application 17/0103/FUL is an unjustified incursion into the open aspect of this Green Wedge.

This development would be detrimental to this area and contrary to local plan policy EN14 which seeks to protect the open nature of the landscape within Green Wedge.

The area is identified as a wildlife corridor in the Tees Valley Biodiversity Action Plan any such development could affect this sensitive area.

The development will bring an increased amount of traffic on to Bassleton Lane/Bader Ave. it has been suggested that some 6.000 vehicles per day already use Bader Ave/ Bassleton Lane.

The Farm Building is of local historic interest it is one of the few remaining Farm Houses that help to tell the story of the development of Thornaby on Tees and as such should be placed on the Local List as a Local Historic Asset.

SBC Highways Transport and Design

The Highways Transport & Design Manager has no objections to the proposals

Highways Comments

All developments should be designed and constructed in accordance with SPD3: Parking Provision for Developments 2011 and the Design Guide and Specification (current edition).

The greatest impact of this proposal would be on Bader Avenue as all traffic would use this route. Concerns have been expressed previously about the number of properties that are accessed off Bader Avenue. However, a highway objection, in line with national planning policy guidance, can only be raised on transport grounds where there is reasonable evidence that the impacts of the development on the highway network would be severe.

Using trip rates derived from TRICS data the site can be expected to generate vehicular trips as detailed in the table below.

	AM Peak (08:00 – 09:00)		PM Peak (17:00 – 18:00)	
	Arrivals	Departures	Arrivals	Departures
Vehicle Trip Rate	0.184	0.386	0.448	0.249
Vehicle Trips	1.288	2.702	3.136	1.743

The development is forecast to generate 3.9 trips in the morning peak and 4.8 trips in the evening peak hour on Bader Avenue. This scale of trip generation would be unlikely to have a significantly adverse impact on the highway network and therefore no objection is raised on highway capacity grounds. It is unclear whether the applicant intends to offer the proposed road for adoption; should the applicant wish the road to be adopted it would need to be

designed and constructed to adoptable standards in accordance with the Design Guide and Specification (current edition) and a Section 38 agreement would be required.

In accordance with SPD3: Parking Provision for Developments 2011, each 4-bedroom house provides 3 incurtilage car parking spaces, and each 3-bedroom dwelling provides 2 spaces.

Subject to the above there are no highway objections.

Landscape & Visual Comments

The submitted layout is similar to the previous submitted application, although it reduces the number of dwellings by one to allow for larger properties, and greater garden space to offset potential for shading following completion of a shading study for the site.

In line with previous comments the Urban Landscape Manager would have no landscape or visual objections to the proposals. It is acknowledged that this area of land is 'open' with respect to the fact that it is undeveloped; however, there is no public access to this area and views across the site are extremely limited, to one small gap in the surrounding planting. However, it is acknowledged that this development site was previously the subject of an appeal to the Planning Inspector (Ref APP/H0738/W/14/2223808) for a similar development. The previous appeal was dismissed by the Inspector.

At that appeal the Planning Inspector noted that the '...green wedge, in this area, is generally characterised by its open character. It provides a wide linear area of amenity space that follows the valley associated with Bassleton Beck. It includes a network of paths and cycle routes and I understand that it makes up part of the Tees Heritage Park. There is generally a clear distinction between development associated with the settlements and this open land that separates them.'

It is clear that the Planning Inspector has taken a different view to that of the Urban Landscape Manager who considers that the change to landscape character will be negligible. The existing wall forms a clear distinction between the developed area and the Tees Heritage Park, and the development does not breach that wall. The Planning Inspector himself acknowledged that the area within the wall '*...has a distinctly different character*' and that the '*...scale of harm to the green wedge would be limited given its existing lawful use and defined margins.*'

The Inspector notes in Paragraph 11 that '*...the land is not closely related to development, other than the wall. It appears as a pocket of open land that is not intimately associated with the urban form of the settlement but it is also distinct from the amenity area within the green wedge*'. Again, the Urban Landscape Manager disagrees, and considers that when viewed from the adjacent footpath users would perceive this area to be entirely garden space associated with the existing built form.

The Inspector also comments that the development site '*...significantly intrudes into the open area of the green wedge and it detracts from the visual amenity of those using the adjacent cycleway and footpaths.*' The boundary wall is already in place and currently impacts upon footpath users, the addition of development beyond the wall would result in little change from this baseline position where glimpsed views of bungalow roofs will be added to the view.



During the previous appeal the Planning Inspector noted that ‘...planting exists outside the site, adjacent to some areas of the wall. However, in other areas the wall is exposed to views from the adjacent rights of way’. This existing planting is naturalising on Council owned land and in time will mature to add to its current screening potential. Additional off site planting could improve the screening potential of the existing landscape so that the existing wall and proposed housing are better integrated into their surroundings.

Since the conclusion of this planning appeal, a further appeal has been held for an adjacent site, Land South of Cayton Drive (APP/H0738/W/15/3136587) where another Inspector has allowed an appeal for a housing development of up to 45 dwellings. This housing, at two storeys in height would be visible rising above the Thorntree Farm garden wall when viewed from locations on the adjacent rights of way.

Site Layout

Soft landscaping including hedgerow boundaries and occasional tree planting should be included within the layout to soften the development. Any tree planting must be located at sufficient distances from the proposed dwellings. Full details of species, sizes, density of planting etc. would be required, but this may be conditioned.

No details of street lighting have been included with the submitted documents. The design of lighting should be carefully considered to minimise the impact on the valley and Tees Heritage Park. Lighting columns located within the development are likely to be significantly taller than the surrounding bungalow buildings. Should the application be approved, a condition should be included to resolve this issue. The suggested condition wording is included below.

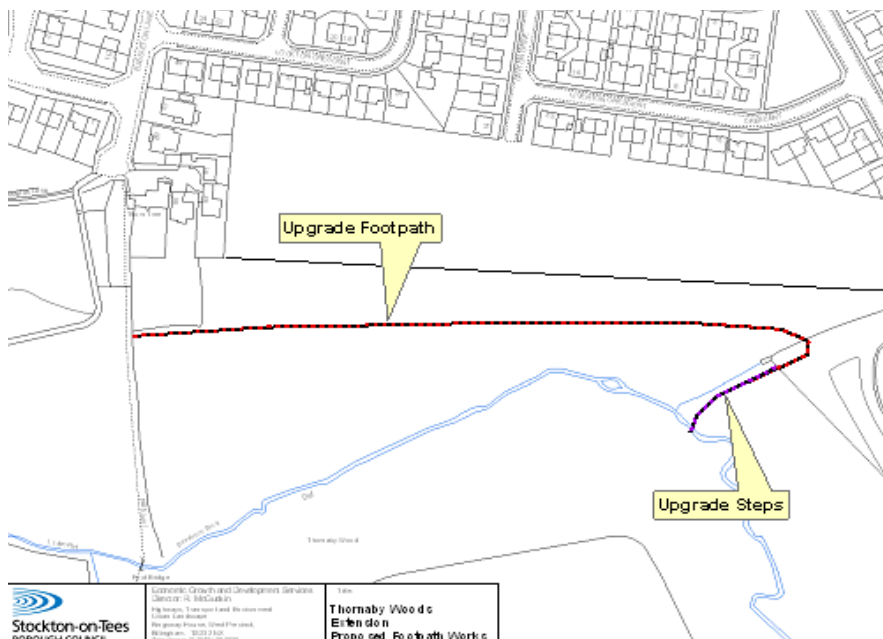
The application highlights that some tree planting on the eastern site boundary is located within the applicants land. Stockton Borough Council would have no objection to the removal of these trees, as their removal should not affect the viability of the larger plantation. No trees within the council owned land are to be removed or managed without the approval of the Council's Tree Officer.

Open Space

There is no requirement for on-site open space, however, based on 5 no. 3 bedroom dwellings, and 2 no. 4 bedroom dwellings, the off-site contribution should be as follows;

	Standard Charge per Person	Total Charge for Development
Open Space	£458.71	£10,550.33
Open Space Maintenance	£510.84	£11,749.32
Total		£22,299.65

The site is immediately adjacent to the Bassleton Woods/Thornaby Woods extension, a popular recreational area, and part of the Tees Heritage Park. There is currently a need to upgrade a footpath to the east of the development site (highlighted on the plan below), which was originally a grass path, but due to the establishment of the tree canopy is now not fit for purpose. The cost to achieve this outcome would be £18,082.71. The calculated off-site contribution funds secured as part of this permission would be used to undertake this work.



On balance and taking into account the Planning Inspector’s previous decision for development on this site and the second Inspectors decision for Land South of Cayton Drive, the Urban Landscape Manager predicts that the development proposal would represent a minimal change from the current baseline position.

Environmental Health Unit

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

- o Construction/ Demolition Noise
- o Demolition and Dust Emissions

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: The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of Green wedges within the conurbation, including Bassleton Beck Valley between Ingleby Barwick and Thornaby.

It should be noted that only the southern element of the application site is identified as being within the green wedge as represented on the Core Strategy strategic diagram. Therefore, only this element of the application should be considered against CS10(3). It will be appropriate to consider whether the proposal, as a whole, has any impacts on the landscape and character of the area.

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.

Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

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 we have the following comments to make:

The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local

Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

How to Satisfy The Condition

The developer should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway
- Watercourse, and finally
- Sewer

If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates & points into the public sewer network. This can be done by submitting a pre development enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6646.

Please note that the planning permission with the above condition is not considered implementable until the condition has been discharged. Application can then be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

Tees Archaeology

Thank you for the consultation on this planning application.

Thorntree Farm is a historic building, probably dating from the 18th century and perhaps earlier. The building is currently rendered but its roofing material (clay pantile) and position of its chimneys suggest it was a hearth passage house of the 1700s. As far as I am aware no previous assessment has been made of the history and significance of the building.

Based on the evidence I have I do not think it would be likely that an objection could be sustained against the demolition of the building. Historic maps show that the building was once part of a larger complex, that extended to the east. The majority of this is now demolished meaning that it is a fragment only. In addition the building has been extended and re-glazed and presumably reordered internally.

In this case I would recommend that the building is a heritage asset of local importance. It would be appropriate for the developer to provide a record of the building before it is destroyed to advance our understanding of its significance before it is lost. The report and archive generated should be made publicly accessible. This is in line with the advice given in the National Planning Policy Framework (para. 141).

The historic building recording could be secured by means of a planning condition. I set out below the suggested wording for this condition:-

Recording of a heritage asset through a programme of historic building recording
A) No demolition shall take place until a programme of historic building recording including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment

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

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

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

Natural England

Natural England has no comments to make on this application.

Thornaby Town Hall

Thornaby Town Council strongly objects to this application on the grounds that it conflicts with our policy of not developing green wedge and precious environment which should be robustly defended for current & future generations.

PUBLICITY

18. Neighbours were notified and to date 19 objections and 2 letters of support have been received as detailed below;

Mrs E Skidmore

25 Lockton Crescent Thornaby

I wish to object to the proposed building of two houses and five bungalows on land at Thorntree Farm, Thornaby.

As identified by the Appeal Inspector on his site visit when this application was last considered, the land in question encroaches into the Green Wedge and Tees Heritage Park. Due to the fact that nothing whatsoever has changed in respect of this application, this piece of land MUST be kept as a valuable buffer zone between Thornaby and Ingleby Barwick.

Furthermore, I object to the totally unnecessary demolition of one of a dwindling stock of locally historic farm dwellings.

Mr Michael Hutchinson

19 Lockton Crescent Thornaby

We object to this proposed development on the grounds that the area has "Green Wedge" status and that it would be an over development of a quiet cul de sac and that it would be detrimental to the surrounding area.

This application is little different to two previous failed applications, both failures being backed up by the "Appeals Inspector".

Mr Gary Wilson

26 White House Road Thornaby

I wish to object against this development on the grounds that it is important to maintain the gap between Thornaby and Ingleby Barwick and this would be building on green space. It would also involve the demolition of the Farm which is important in a historical context because it is one of the last buildings of its type in Thornaby and is part of our heritage. This farm has

been subject to previous applications which were all refused and I would hope that the Planning Committee take the same stance.

Mrs Nuala Dalgarno
59 Bader Avenue Thornaby

This application is no different to the previous applications that were rejected by SBC and refused on appeal, Ref Application 07/3337/FUL Appeal APP/H0738/A/08/2069128/NWF, and Application 14/0787/REV Appeal APP/H0738/W/142223808. This proposed development is also inside dedicated GREEN WEDGE conservation area. I would ask the Committee to again reject this application.

Matthew Morgan
21, Liverton Crescent Thornaby

I am writing to register my objection to App No: 17/0103/FUL OBJECTION - Development of Thorntree Farm and Land to Rear of Bassleton Lane, Thornaby.

My objection is based on the grounds of:-

- Protection of valuable green belt land and Tees Heritage Park
- Protection of a wildlife corridor that is vital for the numerous animal species that use what is left of Bassleton Woods and the land running adjacent to Liverton Crescent and Cayton Drive.
- Protection of Historical Buildings
- Loss of Open Space
- Impact on Current Residents
- Non Requirement of development in this area
- Increased Traffic, Parking and Highway issues
- Disturbance created by development

Mr Paul Mosley
Thorntree Farm Bassleton Lane

I would like to support this application.

I think this is a fantastic private development within the confines of Mr Howsons private land offering high quality and much needed accommodation, surrounded by a high bricked wall providing privacy and seclusion.

For all the NIMBY's objecting to this application, I have a picture of Thorntree Farm (which I would be happy to show you), taken back in 1964 situated in wide open farmland, not another dwelling in site, now imagine if the then Council/Committee and Builders had the same opinions as you where would you be living now, why should you deny others of living in this area.

As one objector has stated in another application 'Bungalows would be a far better option in this area, less impact on the surrounding area and much required'.

Mr Mark Pemberton
2 Barkston Avenue Thornaby

I think this application is a good idea. Building new bungalows is a step forward as there is only 2% being built throughout the country. The applicant is not building outside of his own boundaries, so I can't see there being a problem because everybody builds extensions on their own land.

Miss Caroline Tyerman
23 Axton Close Thornaby

The green nature area between Bassleton Court and Ingleby Barwick has been considerably reduced to the point where I am certain the local wildlife has suffered. There is not much green belt left in this area of Thornaby and I feel it is the duty of local residents to try to protect this precious green site. In addition to the loss of precious green belt, any new homes inevitably mean more cars. This estate has one route in and out, which feeds onto Thornaby Road via a roundabout. At peak times Thornaby Road is a block of stationary traffic and any survey undertaken will confirm the problems associated with building any further homes on an already over-developed area. The road systems simply cannot cope.

Allowing building on this green area could also set a precedent leading to the complete destruction of this green space, a space used by residents and wildlife. It is a habitat that needs protecting. Traffic and parking on Bassleton Court Estate is already a real problem with most homes having multiple cars and vans, this is a danger to elderly and children who have to cross roads full of parked cars and vans. More homes would exacerbate the problem further.

Please help the residents of Thornaby keep some of their green space and direct property developers to the many brownfield sites in the area, most of which have much safer and less congested road links.

Mr Ronald Brown

27 Liverton Crescent Thornaby

this is just another over development of land that is too small for the development of house's and being a retired Truck driver trying and trying to get a 44ton truck on to this would damage paths and roads leading on to the site plus the drains would not take this weight you have to think when these road were built truck weights were 32 tons and smaller. flooding is a concern as the more green is taking away there is nowhere for the rain to go wild life is suffering and I think if this goes ahead the field next to Liverton crescent will be next and who knows the Harold wilson field next??

Mr Robert Crallan

7 Charrington Avenue Thornaby

I strongly object to this development because it is green wedge and precious environment which should not be destroyed.

The housing minister said green wedge should not be built on unless it is absolutely necessary and this is very defiantly NOT necessary.

Mr K Skidmore

25 Lockton Crescent Thornaby

I object to the proposed development at Thorntree Farm. The development would be an intrusion into the 'Green Wedge' and 'Tees Heritage Park'. It is very important to maintain a distinctive gap between Thornaby and Ingleby Barwick. For this very reason it has been rejected before and nothing has changed.

I also object to the demolition of Thorntree farm. This farm building is one of the few survivors of this type of building once common in this area and is part of Thornaby's heritage. This contradicts the views of Tees Archaeology who are not an authority on the aesthetics of buildings.

Mr Ian Instone

3 Barkston Avenue Thornaby

We have made objections for each planning application made to develop this garden area of the old Thorntree Farmhouse to build multiple bungalows and houses. The reasons being increase of traffic, parking, access, mains services, size of planned development, impact on

local roads, overdevelopment of a small privately owned area. Our objections from all previous applications still stand.

Mr Kaashif Latif

31 Lockton Crescent Thornaby

Me and My family Strongly object to the application of the building of two houses and five bungalows as it is unsuitable for the area and will affect the side of the green wedge and heritage park and the farm house should now be knocked to make way for the housing that is not needed in the area as will cause disruption to the area

H And C Palin

37 Lockton Crescent Thornaby

We strongly object to the knocking down of the old Thorntree Farm House, though not a listed site there are very few of these old but full of character buildings left. The two houses and five bungalows will not be affordable houses as required by government advice therefore not needed in Thornaby or surrounding areas which are already flooded with new sites being developed. This development will also encroach on the small amount of green belt land we have left in this area and also onto the local heritage area we now have in Thornaby. This application must be refused.

Mr Kenneth Gettings

91 Bassleton Lane Thornaby

We object to the proposed development for the following reasons;

- The detrimental effect of the proposed development on the character and appearance of the surrounding area.
- Over development of a quiet cul-de-sac resulting in detrimental effect on access to current residential properties within the cul-de-sac.
- Unnecessary backyard development.

There have been two previous applications to develop this site and two appeals. Application 07/3337/FUL, Appeal APP/H0738/A/08/2069128/NWF and Application 14/0787/REV, Appeal APP/H0738/W/14/2223808.

Both previous applications have been refused by the Planning Department and by two different Appeal Planning Inspectors.

I fail to see any significant differences with this latest application.

With reference to The Planning statement submitted on behalf of the applicant,

- Paragraph 5.2.11 appears to accept that the proposed development site has Green Wedge status.
- Paragraph 5.2.1 makes reference to recent court decisions in relation to Green Wedge protection. The report appears to suggest that because of these decisions this current application should not be dismissed for Green wedge reasons.

With reference to the Appeal Decision Notice relative to previous application 14/0787/REV,

- In Paragraph 19 the Planning Inspector states, "I have been referred to a number of other applications that have resulted in permission being granted for housing within parts of green wedges within the borough".

- In Paragraph 21, the Planning Inspector goes on to say, " I have regard to the reported findings but I must also consider this development on its own merits and balance the harm against the benefits, with paragraph 14 of the (National Planning Policy) Framework in mind.

- THE COMMENTS IN PARAGRAPH 21 OF THE PREVIOUS APPEAL DECISION MUST APPLY TO THIS LATEST APPLICATION.

- In Paragraph 28, the Planning Inspector states, " Even if I were to afford little or no weight to the proposed alignment of the Green Wedge boundary, I consider that the harm that would result to the character and appearance of this area would be sufficient to significantly and demonstrably outweigh the benefits that have been identified. I therefore dismiss the appeal.

There is little, if any differences in this latest proposed development and circumstances since the two previous failed applications. We re-iterate our objection to this latest proposed development and urge the Planning Department to respect the previous decisions of two different Appeal Planning Inspectors by refusing this application.

N W DEACON

31 Kintyre Drive Thornaby

I strongly object because of the damage this will do to the green wedge and Tees Heritage Park.

The proposed development will have a huge impact on the whole area, it is almost impossible to get a doctors appointment under tow to three weeks as it is now, with seven more dwellings in the area it will be very difficult. The problem with parking at school change over times in the Bader School area will be compounded.

This is not the first time that planning approval has been requested for this site it was rejected last time and I hope it is this time.

Mr Jonathan Skidmore

63 Marchlyn Crescent Ingleby Barwick

I wish to lodge my objection to this development.

This development would be an intrusion into the already threatened Green Wedge and Tees Heritage Park.

It is quite clear when looking at the site that the development would urbanise an area of open space which is characteristic of the open natural aspect of the Bassleton Beck valley.

Stockton Council must respect these designations and protect the area from development.

The proposal to demolish Thorntree Farm would result in the loss of one of the few historic buildings in the area. If the applicant is looking to create a dwelling then with a little motivation this fine building could be restored into a very comfortable house of far greater architectural and historic merit that the proposed replacement.

Mabel Etherington

33 Kintyre Drive Thornaby

I object to the proposed development at Thorntree Farm. It protrudes into the Green Wedge and Tees Heritage Park which is contrary to SBC's policy.

I also object to the demolition of the old farm house.

S E G Bradley

5 Brisbane Crescent Thornaby (summarised)

I wish to record my objection to this proposal which is not in accordance with the Local Plan documents and elements of the National Planning Framework. It is also disappointing that the proposal also calls for the demolition of Thorntree Farm which has been a feature of Thornaby for over 300 years. My objections are as follows;

1. Part of the site is in the Green Wedge and the Tees Heritage Park and is afforded protection under CS10.

2. The Tees Heritage Park and our Green Wedges have an important role to play in promoting a good image for the area. Permitting developers to continually nibble away at these boundaries strengthens the impression that we do not care for our environment.
3. The NPPF sets out planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.
4. The NPPF states the purpose of the planning system is to contribute to the achievement of sustainable development. (provides definitions)
In my opinion, neither the immediate neighbours nor the wider local community will feel any economic benefit if this proposal goes ahead but many would feel the loss of a valued community asset which fulfils both a social and environmental role in their lives, particularly relevant when we have so much brownfield land available.
5. Quotes core planning principles of the NPPF.
6. I note the owner of Thorntree Farm supports his proposal to demolish the farm house by claiming difficulties with dampness. It is hard to imagine that past occupiers would have put up with this problem for 300 years.

J Deacon

31 Kintyre Drive Thornaby

I strongly object because of the impact it will have on this area, especially Kintyre Drive, which is used as a rat run to avoid queuing at the roundabout on Thornaby Road at peak and school change over time.

Also the proposed development would be an intrusion in the green wedge and Tees Heritage Park.

Mrs Kathleen Collier

33 Liverton Crescent Thornaby

I strongly object to the planning application submitted Mr T Howson for the development of 5 bungalows and 2 houses on the land at Thorntree farm and to the rear of 93 Bassleton lane. Planning applications have been rejected on previous occasions because of the GREEN BELT STATUS on this land.

Thorntree farm is a historic building dating from the 18th century, it is part of Thornaby Heritage and must be protected as such.

Stockton Borough Council must protect this historic building and reject this application.

PLANNING POLICY

19. 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

20. 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

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

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

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

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.
Further guidance will be set out in a new Supplementary Planning Document.

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

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

_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;

_ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;

_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;

_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

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.

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

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.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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.

Saved Policy HO3 of the adopted Stockton on Tees Local Plan

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

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

MATERIAL PLANNING CONSIDERATIONS

22. The material planning considerations with respect to this application are the compliance of the proposal with national and local planning policy including the principle of housing development, the impact on the character and appearance of the surrounding area, the impact on the amenity of neighbouring land users (and future occupiers of the dwellings), the impact on highway safety and any other material planning considerations.

Principle of development

23. Paragraph 14 of the NPPF states that at the heart of the NPPF is the presumption in favour of sustainable development Paragraph 49 of the NPPF states 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'. The Spatial Plans Officer has commented that 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. The site itself is considered to be sustainable in terms of its proximity to local transport services and facilities.

24. The site lies within the 'Limits of Development' as defined within the Stockton on Tees Local Plan where residential development would, under normal circumstances be supported. However, part of the site is allocated as green wedge and the proposal would therefore be considered to be contrary to saved Local Plan Policy HO3(i) which removes general support for housing sites where land is allocated for another use.
25. Core Strategy Policy 8(2) (Housing Mix and Affordable Housing Provision) states that a more balanced mix of housing types will be required and in this context 'proposals for 2 and 3-bedroomed bungalows will be supported throughout the borough'. The proposed scheme would provide five, 3 bed bungalows, which accords with the provisions of CS8. It is considered the proposal accords with this Policy and that this represents a significant material consideration

Impact on the green wedge

26. The NPPF seeks to conserve and enhance the natural environment by '*protecting and enhancing valued landscapes*' (para. 109). The protection of Green Wedges is more specifically detailed within one of the 12 objectives (no.8) of the Core Strategy and Core Strategy Policy CS10(3) which require that 'the separation of settlements, together with the quality of the urban environment will be maintained through the protection and enhancement of the openness and amenity value of green wedges within the conurbation', including the one between Ingleby and Thornaby (Bassleton Beck Valley).
27. In view of current policy, housing development within the green wedge would be contrary to the Core Strategy. However, as confirmed by the Spatial Planning comments only the southern element of the application site is identified as being within the green wedge as presented on the Core Strategy strategic diagram. The presence of the green wedge should also be balanced against the lack of a 5 year housing supply and the need therefore to provide housing in the short term. Consideration of this needs to take into account the form and function of this area of the green wedge and its relationship with the surrounding settlements.
28. As set out in the recent site history above, the majority of the application site relates to residential garden curtilage, as per the Certificate of Lawfulness that was granted in May 2013 (reference 13/0652/CPE). This garden curtilage is enclosed by a brick boundary wall. The western section of the application site forms part of an existing car park/hard standing area serving Thorntree Farm. The area does not form part of the wider open space and is not accessible to the general public. A further material consideration relates to the 'fall back' position of the majority of the land being classed as residential curtilage and the permitted development rights that the land would benefit from (to serve No 93 Bassleton Lane); a large detached structure for the purposes incidental to the enjoyment of the dwelling house (No 93) could be erected at 4m in height (set 2m off the adjacent boundaries) with a footprint that could take up to 50% of the garden curtilage of the site without requiring planning permission. This was noted in the most recent application and subsequent appeal decision however the Inspector stated they were not be satisfied that this would cause the level of harm that would result from that appeal proposal.
29. In the most recent appeal the Inspector stated the green wedge, in this area, is generally characterised by its open character. It provides a wide linear area of amenity space that follows the valley associated with Bassleton Beck. There is generally a clear distinction between

development associated with the settlements and this open land that separates them. The Inspector goes on to state that the gardens to the rear of 93 and 95 Bassleton Lane and Thorntree Farm are set within an area enclosed by a high brick wall, but are generally undeveloped and open. However, the garden land divides into two distinct areas, the gardens immediately to the rear of the dwellings which make limited contribution to the wider openness of the green wedge and the further area of lawful garden that lies beyond which has a more open character. The Inspector concluded that the development would result in harm to the openness of the green wedge and the failure of the proposal to accord with the development plan. It was considered that the benefits of additional housing would not be sufficient enough to outweigh the harm that would result from the closing of the gap between settlements and the reduction in openness of the green wedge and the Inspector dismissed the appeal.

30. Whilst the appeal decision is noted, the impact of this proposal on the Green Wedge has been considered by the Highways, Transport and Design Team and no objections have been raised. It is considered the existing wall around the site forms a clear distinction between the developed area and the Tees Heritage Park, the development does not breach that wall. The visual impact and design will be considered further in this report however given the existing character of the site and the extent of green wedge that is affected by the proposal it is considered these represent material planning considerations that in this instance outweigh the policy constraint (CS10) and the principle of residential development within the site is acceptable.

Impact on the Tees Heritage Park

31. Core Strategy Policy CS10 states that *'the provision of leisure and recreation facilities as part of the Tees Heritage Park will provide more open space accessible to the public, improve the opportunity for water based facilities and enhance the areas landscape and biodiversity. A high quality network of urban parkas and green spaces within the conurbation will contribute to a better quality of life for all'*.
32. A number of objections state that it is part of the Tees Heritage Park which they indicate as being an area where protection is given to improve the landscape, wildlife and ecology for future generations. However the Planning Inspector has stated whilst the footpaths and cycleway (adjacent the site) would not be physically affected, the proposal would result in them becoming a less attractive recreational experience and considered the proposal would result in harm to the character and appearance of the area and to this part of Tees Heritage Park. Despite the Inspectors view, the Urban Landscape Manager has stated the boundary wall is already in place and currently impacts upon footpath users, the addition of development beyond the wall would result in little change from this baseline position where glimpsed views of bungalow roofs will be added to the view.
33. It is also stated that since the conclusion of this planning appeal, a further appeal has been held for an adjacent site, Land South of Cayton Drive (APP/H0738/W/15/3136587) where another Inspector has allowed an appeal for a housing development of up to 45 dwellings. This housing, at two storeys in height would be visible rising above the Thorntree Farm garden wall when viewed from locations on the adjacent rights of way. In view of these circumstances and whilst the Inspectors comments are acknowledged, it is considered that as the majority of the current application site is private, enclosed residential curtilage and with permitted development rights for some built development, it is considered to make a limited contribution to the overall setting of the wider Tees Heritage Park.

Demolition of Thorntree Farm

34. Thorntree Farm is neither a Listed Building nor is it Locally Listed. A number of objections from have commented that the existing farm house building should be retained as a heritage asset, whether that is through Listed Building status or being Locally Listed. The Council's Historic Building's Officer (HBO) provided comments on the most recent application at the site and

commented that a building does not have to be included on the 'Local List' for the Council to consider it to have local interest and it is the discretion of the Local Authority if a building is considered to be a local heritage asset. The HBO commented that the *'farmhouse is certainly of an age and although extended the structure appears to be sound and the original form of the building is very much still evident. Although, it has been extended, has lost its ging gang and its setting has been affected by modern development, I note from the submitted details of the application that the building has been altered and has issues with damp. All of these can be remedied with appropriate renovation and repair'*.

35. During consideration of the previous application the applicant responded stating that the retention or conversion of the building *'has been given proper consideration but retention of the existing former farmhouse, sub-divided or otherwise, is not considered to be a practical proposition'*. The HBO concluded that the loss of the building would be *'regrettable and if we are minded to approve the application at least a full photographic record of the building should be undertaken'*.
36. Tees Archaeology have also been consulted on the application and has commented that an objection could not be sustained against the demolition of the building based on the submitted information/evidence. Tees Archaeology has therefore commented that it would be appropriate for the developer to provide a record of the building before it is destroyed to advance our understanding of its significance before it is lost. This can be secured by way of a planning condition.
37. In view of the above considerations, it is considered that on balance the demolition of the existing building would not be sufficient to warrant a reason for the refusal of the application on this ground alone.

Design, Layout and street scene considerations

38. One of the core principles of the NPPF (para 17) is to *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and building'*. Furthermore, online National Planning Policy Guidance (PPG, published March 2014) reaffirms the importance of good design, as promoted in the NPPF and states that *'Local planning authorities are required to take design into consideration and should refuse permission for development of poor design'*.
39. The design and layout of the dwellings under the previous application was a key consideration of the Planning Appeal. The key reasons for dismissing the appeal related to the layout and design of the bungalows, with the Inspector stating the following concerns;
- The lack of relief between the boundary and the proposed buildings would substantially increase their prominence and emphasise the loss of openness. The layout proposed would therefore represent poor design.
 - I also find that the use of a standard bungalow design fails to adequately address the constraints that result from this layout. The standard design would also provide little architectural interest.
 - Elements of the proposal fail to reach a satisfactory design standard and the Framework is clear that permission should be refused for development of poor design
40. Taking into account the Planning Inspectors concerns regarding the layout and appearance of the bungalows, the scheme has been redesigned. The number of bungalows has been reduced from six to five and a new design of bungalow is proposed. The previous submission proposed bungalows that were of simple design, this proposal has improved the design and visual appearance of the bungalows and provides additional features that provide visual interest such as chimneys, differing roof heights, bay windows and full height windows to the sitting rooms.

41. It is acknowledged the layout is similar to that previously refused, and although a unit has been removed, the footprint of the bungalows has been increased. Further the proposal reduces the number of units adjacent to the southern boundary and when viewed from the adjacent footpath/cycleway in the south western corner the mass and predominant height of the units has been reduced. It is considered the design changes as detailed above improve the overall design of the proposal and overcome the issues raised by the Planning Inspector.
42. The boundary wall that is in place currently impacts upon footpath users and as stated by the Urban Landscape Manager, it is considered the addition of development beyond the wall would result in little change from this baseline position where glimpsed views of bungalow roofs will be added to the view. It is also stated that the existing planting around the site is naturalising on Council owned land and in time will mature to add to its current screening potential. With specific regard to the layout, the Urban Landscape Manager has stated soft landscaping including hedgerow boundaries and occasional tree planting should be included within the layout to soften the development. This would further improve the visual impact and specific details can be agreed by condition.
43. It is also noted that since the conclusion of the previous appeal on this site a further appeal has been held for an adjacent site on land to the south of Cayton Drive, this allowed an appeal for a housing development of up to 45 dwellings. This housing, at two storeys in height would be visible rising above the Thorntree Farm garden wall when viewed from locations on the adjacent rights of way. This would further negate the visual impact of the proposal.
44. Overall, it is considered the changes in layout and design improve the visual impact of the proposal and given the existing character of the application site it is considered the changes are acceptable. With the addition of a planting scheme within the site boundary the views would be further improved.
45. With regards to the street scene, the bungalows are set well back from the highway and street scene area to the front, the houses will be the more dominant feature when viewed from the street scene. The Inspector did consider the new houses proposed to the north of the site would result in improvements to the environment when viewed from the head of Bassleton Lane. The two proposed 2- storey dwellings that would be sited on the existing Thorntree Farm site are considered to be of a simple design and scale which are generally considered to be in keeping with the character and appearance of the adjacent properties and the predominantly surrounding residential area. It is considered that the provision of the projecting bay and gable pitched roof elements on the front elevation would assist in breaking up the massing of the buildings and in providing a satisfactory design.
46. The overall layout of the proposed development is compact however taking into account the scale of the proposals, the separation distances between the proposed plots, and the proximity of existing housing, the amended design and layout of the proposed development is generally considered to be acceptable and is not considered to constitute 'over development' of the site.
47. Overall, it is considered the proposed development would not have a significant detrimental visual impact. The Urban Landscape Manager considers the change to the landscape will be negligible and raises no objections.

Impact on existing landscaping

48. The application highlights that some tree planting on the eastern site boundary are located within the applicants land. Stockton Borough Council would have no objection to the removal of these trees, as their removal should not affect the viability of the larger plantation. However, no trees within the council owned land are to be removed or managed without the approval of the

Council's Tree Officer, as this is outside the application site it cannot be a planning condition but an informative is recommended to make the applicant aware.

49. As part of the previous application arboricultural reports were submitted and have been resubmitted with this application. These consider the foundations and potential overshadowing issues arising from the trees in proximity to the eastern boundary. The revised plans respect the advice regarding foundations and potential over-shadowing. With regard to the planting on the southern and western boundary these are generally lower growing shrubby species, and therefore no update to the submitted info is required in terms of the planting along these boundaries.

Amenity

Provisions for future occupiers

50. It is considered that the proposed layout generally provides adequate areas of amenity space relevant to the scale of the proposed properties and also provides adequate parking provision. The indicated separation distances between the properties are considered to achieve a satisfactory level of amenity and privacy for future occupiers. The removal of all permitted development rights, which can be secured by a planning condition, would allow the Local Planning Authority to control the resultant impact of any future extensions to the properties. It is considered that the proposal has been designed to ensure that adequate distances are met and designed to negate any adverse impact on the amenity of future occupiers of the proposed properties in terms of outlook, overlooking, overbearing and overshadowing.

Impacts on surrounding residents

51. Proposed plots 1 and 2 would primarily look towards No 89 (north) of which a separation distance of approximately 21m would remain. An oblique separation distance of approximately 20m would remain between the front elevation of proposed plot 1 and the front elevation of No 91, sited in the north east corner of the shared driveway with No's 93 and 95 Bassleton Lane. The proposed plots would also be sited approximately 30m from the nearest properties to the north west. Proposed plots 1 and 2 would also project along the adjacent boundary to No 95 Bassleton Lane, which is also within the applicant's land ownership. The submitted plans indicate that the proposed dwellings would not project beyond the front and rear elevations of No's 93 and 95 and a separation distance of approximately 3m would remain between the side elevation of proposed plot 1 and No 95. The rear elevation of plot 3 would be sited at an oblique separation distance of approximately 16m from the rear elevation of No 95 Bassleton Lane. The side elevation of proposed plot 7 would be sited at least 11m from the rear elevations of No's 93 and 95 Bassleton Lane. In view of these distances and relationships, it is considered that the location of the development is sufficiently separated from existing dwellings.
52. The provision of satisfactory boundary treatment between the existing (93 and 95 Bassleton Lane) and proposed properties can be secured by way of a planning condition. Although the site is relatively level throughout, it is also considered necessary to secure details of existing and proposed levels of the proposed buildings, which can be secured by a further planning condition.
53. In view of the above considerations, it is considered that the proposed scheme will not result in an adverse loss of amenity for existing/future occupiers of surrounding residential properties in terms of outlook, overlooking, overbearing and overshadowing.
54. With respect to objections regarding noise disturbance, the Council's Environmental Health Unit has raised no objections to the scheme but has recommended a condition restricting hours of construction and delivery. This can be secured by a planning condition. Subject to this, and in view of the domestic scale and nature of the development, it is considered that the proposed development will not result in an unacceptable loss of amenity in terms of noise disturbance.

Highway related matters

55. The proposed site layout is shown with access extending from Bassleton Lane (north) past the side elevation of plot 2 and into the side in an 'L' shape design. Each property would be provided with in-curtilage parking spaces as well as visitor spaces, which the Highways, Transport and Design Manager (HTDM) has confirmed accords with SPD3: Parking Provision for Developments 2011.
56. A number of objections have been raised suggesting that there is already excessive traffic on the surrounding highway network, that there is prevalent on street parking in the surrounding streets and that the area cannot cope with any additional traffic, all of which residents consider would cause risk to highway safety. Despite these objections the Highways, Transport and Design Manager (HTDM) has commented that *'the greatest impact of this proposal would be on Bader Avenue as all traffic would use this route. Concerns have been expressed previously about the number of properties that are accessed off Bader Avenue. However, a highway objection, in line with national planning policy guidance, can only be raised on transport grounds where there is reasonable evidence that the impacts of the development on the highway network would be severe'*. Using trip rates derived from TRICS data, the HTDM concludes that the scale of trip generation *'would be unlikely to have a significantly adverse impact on the highway network and therefore no objection is raised on highway capacity grounds'*.
57. The HTDM has also commented that *"it is unclear whether the applicant intends to offer the proposed road for adoption; should the applicant wish the road to be adopted it would need to be designed and constructed to adoptable standards in accordance with the Design Guide and Specification and a Section 38 agreement would be required"*. The agent has advised the applicant does want the road to be adopted and that it has been designed as such and a S38 Agreement is to be entered into in due course. In view of the above considerations, it is considered that the proposed development will not result in an adverse loss of highway and pedestrian safety.

Impacts on Ecology & Biodiversity

58. Natural England have provided no comments but referred to their Standing Advice on protected species, which includes a habitat decision tree that provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. The applicant site includes a maintained garden area (grassland), ornamental shrub planting and a small pond. The site has no specific designations on it in respect to wildlife, habitat or biodiversity. Notwithstanding this, objections have been raised in respect to the proposal on the grounds that this would adversely affect wildlife which currently uses this area.
59. The applicant's submission includes a preliminary ecological appraisal including a protected species risk assessment for Thorntree Farm and Land to the south. The report concludes that there are no significant ecological constraints with regards to the demolition of the existing building and construction of the new dwellings. Some mitigation has been recommended for the removal of scrub and trees in relation to nesting birds and for the careful removal of buddleia to prevent the spread of this species. A condition has been attached to ensure the development is carried out in accordance with these recommendations.
60. Whilst the site may be being used by wildlife, it appears that this is (apart from any nesting birds) likely to be for general foraging. In view of this, and the site being adjacent to a woodland (albeit the application site is enclosed by a brick wall) which offers more extensive provision, it is considered that the proposal would have a limited impact on wildlife and ecology. Subject to the recommended mitigation measure of the ecological appraisal, which are to be secured by a planning condition, it is considered that the impacts on wildlife could be suitably

mitigated. For similar reasons, it is considered that the proposed development would not unduly affect biodiversity within the Borough.

Planning Obligations

61. Although Core Strategy Policy CS11 relating to planning obligations remain relevant, along with the Open Space, Recreation and Landscaping Supplementary Planning Document. However the National Planning Practice Guidance sets out that contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from developments of 10-units or less. Consequently there is no requirement for this development to provide any planning obligations.

Other Matters

62. Objectors have commented that the approval of the current application would set an undesirable precedent for similar approvals on green wedge. It should be noted that each application is assessed on its own individual merits and therefore the reference to 'precedent' is not a material consideration in this instance.
63. Objections have been received in relation devaluation of property prices and the availability of existing houses within Thornaby, Ingleby Barwick and the wider estate. These matters are not considered to be material planning considerations.
64. A number of objections have commented that the existing drainage system cannot accommodate additional pressure/capacity and that the development will result in drainage problems. The site size is below the threshold for consulting the Environment Agency. Northumbrian Water Limited (NWL) have been consulted and has request that details of foul and surface water from the development be submitted to the Local Planning Authority in consultation with Northumbrian Water. This can be secured by way of a planning condition. NWL has also provided further information of how the surface water drainage solution will need to be developed. This can be appended as an informative. Subject to the above referenced condition, it is considered that the matters of drainage can be satisfactorily addressed. For the avoidance of doubt the site is situated within flood zone 1 and presently not at risk of either tidal or fluvial flooding.
65. A number of objections have commented that the development would result in the loss of light and loss of views. With respect to Right to Light and Right to a View, these operate separately from the planning system and is not a material planning consideration. Nonetheless, the Human Rights Act 1998, which came into force on the 2nd October 2000, incorporates into UK law certain provisions of the European Convention on Human Rights. The provisions require public authorities to act in a way which is compatible with Convention rights.
66. An objection makes reference to the scheme being contrary to EN14. These policies are no longer 'saved' policies and have been replaced by the policies set out in the adopted Core Strategy.
67. Two letters of support has been received which consider the scheme would enhance local area and should be supported, and that bungalows are required. These comments are noted.

CONCLUSION

68. The impacts of the proposal have been considered against national and local planning guidance. The application site is within the defined limits to development but partly falls within a designated Green Wedge and such development would normally be resisted unless material considerations indicated otherwise having regard to the development plan.
69. The Planning Inspector during the most recent appeal concluded the effective extension of the settlement would not be a positive feature but the scale of harm to the green wedge would be

limited given its existing lawful use and defined margins and does not dismiss the appeal based on the development of the site as a whole.

70. Housing applications are to be considered in the context of the presumption in favour of sustainable development. It is considered that there are material considerations that outweigh the policy of constraint in this instance (CS10) and there are no adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework taken as a whole.
71. Other material considerations have been considered in detail and the development as proposed is considered to be acceptable including design and layout, highway safety, it does not adversely impact on neighbouring properties (or future occupiers) or the ecological habitat. It is therefore recommended that the application be Approved with Conditions for the reasons specified above.

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

WARD AND WARD COUNCILLORS

Ward	Village
Ward Councillor(s)	Councillor Ian Dalgarno
Ward Councillor(s)	Councillor Mick Moore

IMPLICATIONS

Financial Implications:

As per report

Environmental Implications:

As per report

Human Rights Implications:

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

Community Safety Implications:

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

Background Papers

National Planning Policy Framework
Stockton on Tees Local Plan Adopted 1997
Core Strategy – 2010

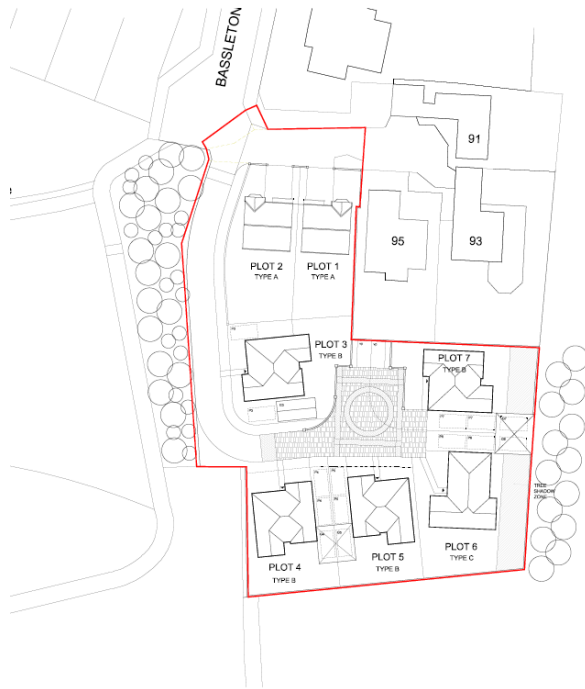
Supplementary Planning Documents

SPD1 – Sustainable Design Guide
SPD2 – Open Space, Recreation and Landscaping
SPD3 – Parking Provision for Developments
SPD6 – Planning Obligations

Site location plan



Proposed site plan



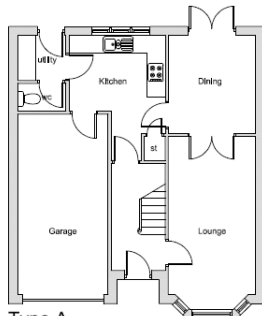
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7 No. New Units		
Plot 1	Type A - 2 Storey 4 bed house	1200ft ²
Plot 2	Type A - 2 Storey 4 bed house	1200ft ²
Plot 3	Type B 3 Bed bungalow	1060ft ²
Plot 4	Type B 3 Bed bungalow	1060ft ²
Plot 5	Type B 3 Bed bungalow	1060ft ²
Plot 6	Type C 3 Bed bungalow	1280ft ²
Plot 7	Type B 3 Bed bungalow	1060ft ²



summerhouse architects
 1111 Farm
 Southborough
 South Devon
 TQ14 6EP
 t: 01387 51649
 e: admin@summerhouse.co.uk
 w: www.summerhouse.co.uk
 client: MR T HOWSON
 project: BASSETON LANE THOROWAY
 drawing: PROPOSED SITE PLAN
 scale: 1:500 @ A3
 date: OCT 2016
 sig no: 1229 HL 003 rev A
 status: PLANNING

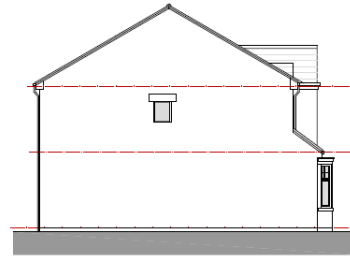
Proposed plans house type A



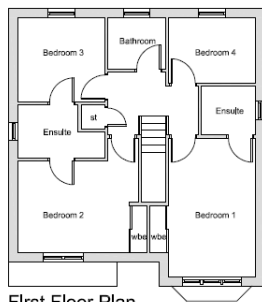
Type A
Ground Floor Plan
 4 Bed - 112m² / 1200ft²



Front Elevation



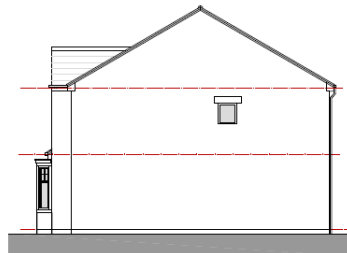
Side Elevation



First Floor Plan



Rear Elevation



Side Elevation

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summerhouse
 architects

111 Elm
 Gableborough
 Northampton
 TS14 5BW
 t +44 (0)161 633640
 e +sarah@summerhouseuk.co.uk
 w +www.summerhouseuk.com

client MR T HOWSON

project BASSLETON LANE
 THORNBAY

drawing HOUSE TYPE A
 PLANS & ELEVATIONS

scale 1:100 @ A3

date OCT 2016

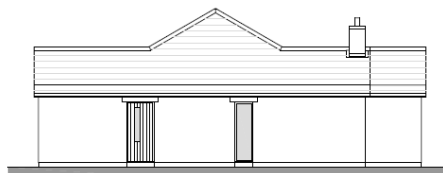
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status PLANNING

Proposed plans house type B



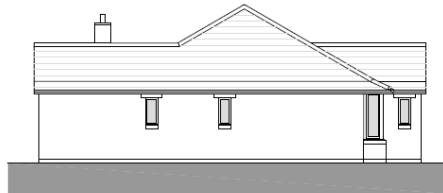
Front Elevation



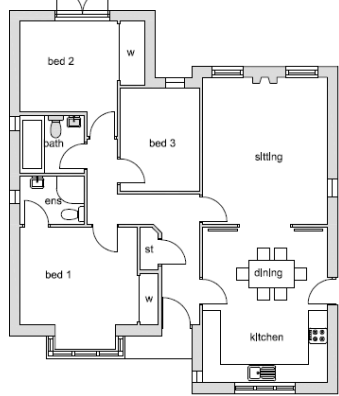
Side Elevation



Rear Elevation



Side Elevation



TYPE B
3 Bed Bungalow - Int gross area = 1060ft²

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summerhouse
architects

10 Farm
62, Berrington
Northampton
NN1 6JH
T + 01287 632640
E - info@summerhouse.co.uk
W - www.summerhouse.co.uk

client MR T HOWSON

project BASSLETON LANE
THORNABY

drawing HOUSE TYPE B
PLANS & ELEVATIONS

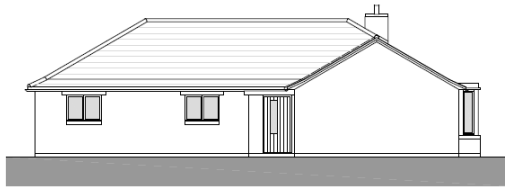
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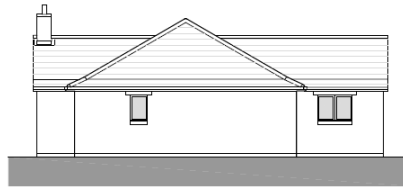
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status PLANNING

Proposed plans house type C



Front Elevation



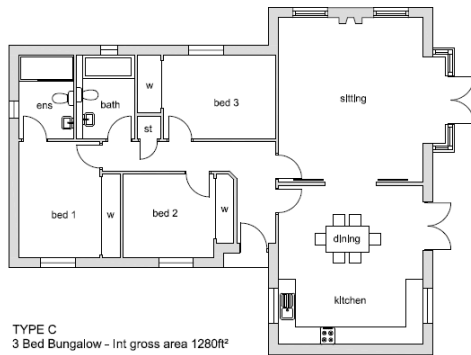
Side Elevation



Rear Elevation



Side Elevation



TYPE C
3 Bed Bungalow - Int gross area 1280ft²

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summerhouse
architects

Form
suburban
north yorkshire
1224 4897
+44 (0)1977 632640
e = info@summerhouse.uk.net
w = www.summerhouse.uk.net

client: MR T HOWSON

project: BASSLETON LANE
THORNABY

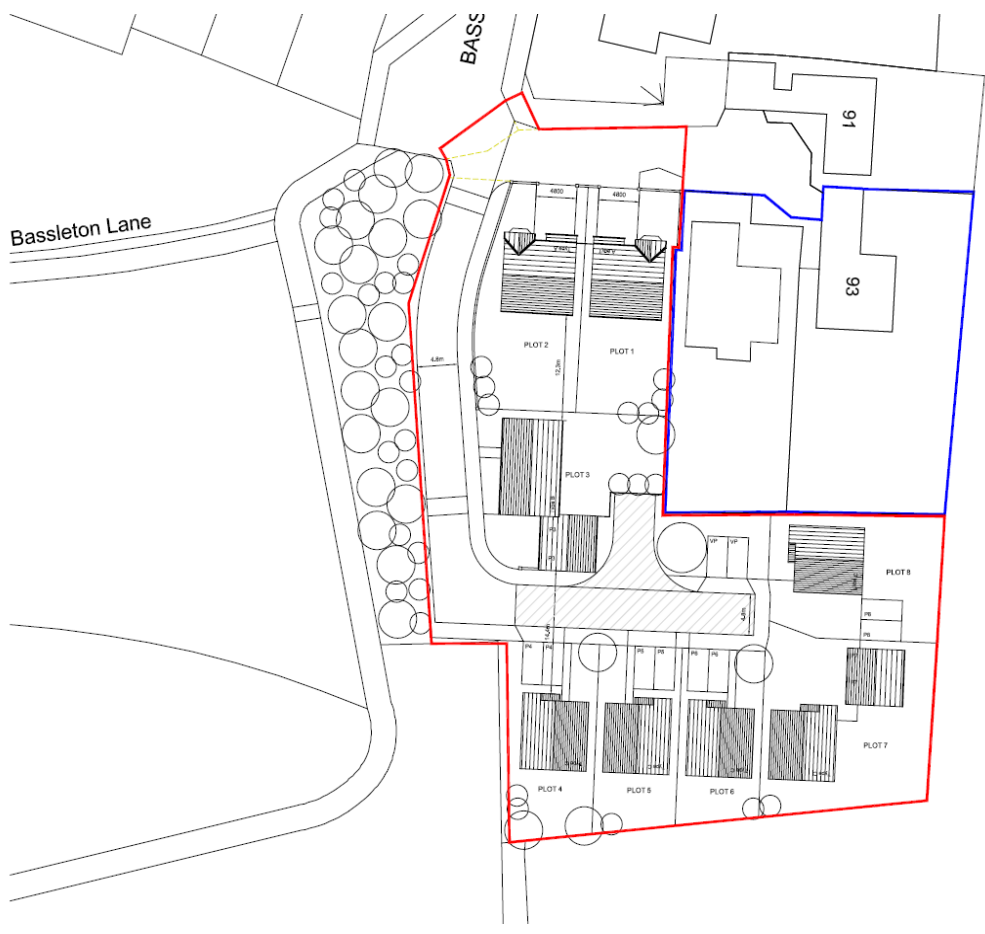
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PLANS & ELEVATIONS

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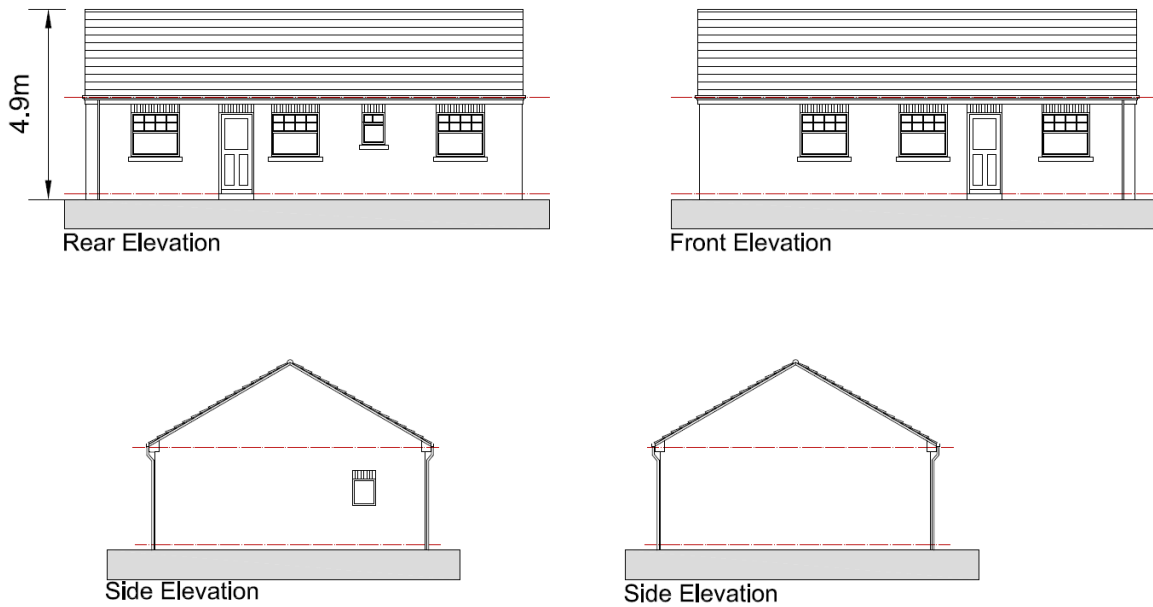
date: OCT 2016

drw no: S289 PL 007 rev: A

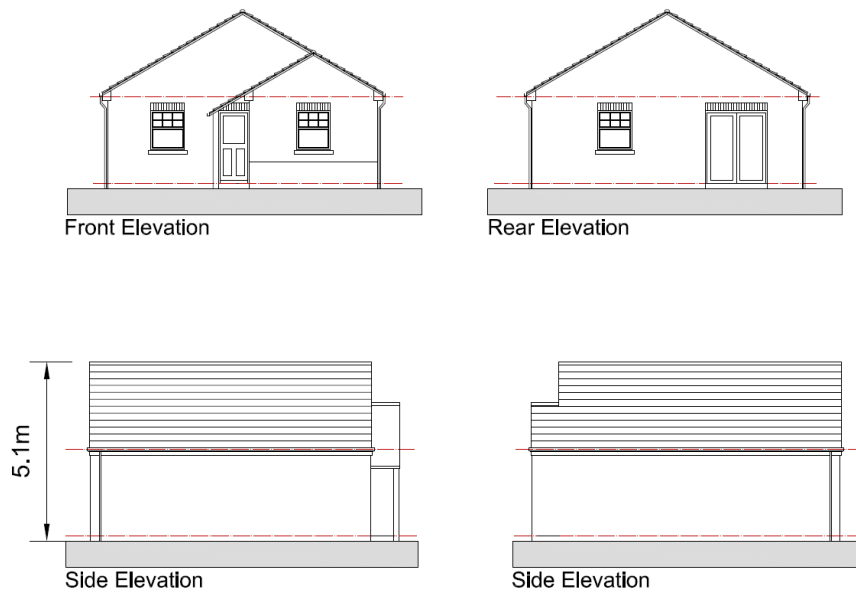
status: PLANNING



Previously refused bungalow elevations (type B) 14/0787/REV



Previously refused bungalow elevations (type C) 14/0787/REV





Appeal Decision

Site visit made on 13 February 2015

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 March 2015

Appeal Ref: APP/H0738/W/14/2223808

Land at Thorntree Farm and to the rear of 93 Bassleton Lane, Thornaby, Stockton-on-Tees TS17 0AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr T Howson against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 14/0787/REV was refused by notice dated 8 May 2014.
 - The development proposed is residential development comprising the erection of two houses and six bungalows plus associated garaging and parking.
-

Application for Costs

1. An application for costs was made by Mr T Howson against Stockton-on-Tees Borough Council and is the subject of a separate decision.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. A proposal to develop the rear part of this land for housing was dismissed at appeal in 2008. At that time, the site was shown as being within the green wedge on the proposals map of the Stockton-on-Tees Local Plan 1997 (LP). That development would have resulted in five bungalows. The inspector found that the development would seriously detract from the open nature of the landscape within the green wedge and the local identity and setting of the settlements that it separates. It was found to conflict with LP Policy EN14.
 5. Policy CS10(3ii) of the Stockton-on-Tees Core Strategy Development Plan Document 2010 (CS) replaced LP Policy EN14 and includes the up-to-date guidance with regard to green wedges. It seeks to maintain the separation and the quality of the urban environment by protecting and enhancing the openness and amenity value of the green wedges. It requires a more positive approach to the openness and amenity value of the green wedges than the
-

former policy but overall, the position has not changed significantly since the previous appeal.

6. The map approved for consultation purposes in association with the Regeneration and Environment Local Plan (RELP) includes this site, and the land associated with houses to the north, within the green wedge. Initially, it had been recommended by officers for exclusion. I understand that this followed a green wedge review but I do not have details of that report. In any event, the recommendation was not accepted by the Council.
7. Given that the RELP consultation period has not yet expired, the future position of the boundary of the green wedge is not definitive. However, given that the consultation document includes the same boundary as the historical boundary shown on the LP proposal map and associated with the former LP Policy EN14, until a formal change has been accepted, I consider it reasonable to accept the historic and proposed RELP green wedge boundary at this time. I find CS Policy CS10(3ii) to be generally consistent with the environment policies of the *National Planning Policy Framework* and therefore afford it substantial weight.

Character and appearance

8. The green wedge, in this area, is generally characterised by its open character. It provides a wide linear area of amenity space that follows the valley associated with Bassleton Beck. It includes a network of paths and cycle routes and I understand that it makes up part of the Tees Heritage Park. There is generally a clear distinction between development associated with the settlements and this open land that separates them.
9. The position of the boundary of the green wedge, in the vicinity of the site, is unusual as it includes six properties to the south and east of Bassleton Lane. The character of the land on which these buildings are set, clearly differs from the open areas and the general character of the green wedge. These dwellings form the perceived built-up limit of the settlement.
10. Although the gardens to the rear of the three most southerly properties, 93 and 95 Bassleton Lane and Thorn Tree Farm, are set within an area enclosed by a high brick wall, they are generally undeveloped and open. However, the garden land divides into two distinct areas. The gardens immediately to the rear of the houses make a limited contribution to the wider openness of the green wedge as they are so closely associated with the built development. The additional area of lawful garden associated with number 93, that lies beyond the rear boundaries of number 95 and Thorn Tree Farm, has a more open character.
11. The wall that encloses the rear of the site does reduce its openness but the land is not closely related to development, other than the wall. It appears as a pocket of open land that is not intimately associated with the urban form of the settlement but it is also distinct from the amenity area within the green wedge. It significantly intrudes into the open area of the green wedge and it detracts from the visual amenity of those using the adjacent cycleway and footpaths.
12. From outside the site, the wall screens all of the garden land so it is not clear exactly where the divide between the two elements falls. However, the rear section of land, which forms much of the proposed development site, does

- make a significant contribution to the openness of the green wedge. I acknowledge however that it is not shown as urban green space on the RELP Plan and as it is enclosed and in private ownership, it makes little contribution to general amenity. Its appearance does however detract from the visual amenity and character of this area.
13. The proposal would significantly extend the perceived extent of development associated with the settlement. It would also represent a relatively intensive form of development and although the proposed bungalows would have low profiles, they would be clearly evident above the wall. Planting exists outside the site, adjacent to some areas of the wall. However, in other areas the wall is exposed to views from the adjacent rights of way. The proximity of the proposed development to the wall would ensure that the buildings would be relatively imposing when viewed from these paths. The layout would fail to provide sufficient space to include meaningful landscaping that would soften the appearance of the wall or the buildings close to it.
 14. Paragraph 73 of the *Framework* makes it clear that opportunities for recreation can make an important contribution to the health and well-being of communities and paragraph 75 seeks to protect and enhance public rights of way. Whilst the footpaths and cycleway would not be physically affected, the proposal would result in them becoming a less attractive recreational experience. One of the core principles of the *Framework* is that the intrinsic character and beauty of the countryside should be recognised. This proposal would result in harm to the character and appearance of the area and to this part of the Tees Heritage Park.
 15. The lack of relief between the boundary and the proposed buildings would substantially increase their prominence and emphasise the loss of openness. The layout proposed would therefore represent poor design. I also find that the use of a standard bungalow design fails to adequately address the constraints that result from this layout. The relationship of plot 7 to its associated outdoor amenity space would be extremely poor. The limited gardens of plots 4-6 would also represent a cramped form of development, despite this edge of settlement location. The standard design would also provide little architectural interest. The proposal does not meet the design standards expected by the *Framework*.
 16. Overall, the proposal would reduce the openness of this area of green wedge and would result in development extending significantly further into this generally open area of land. It would be contrary to Policy CS10(3ii) as it would erode rather than maintain the separation between urban areas and it would fail to protect or enhance the openness or visual amenity value of the green wedge. Elements of the proposal fail to reach a satisfactory design standard and the *Framework* is clear that permission should be refused for development of poor design.

Other matters

17. The Council accept that they are unable to demonstrate a five year supply of housing land in accordance with the *Framework*. In such circumstances, policies relevant to the supply of housing should not be considered up-to-date. The *Framework* indicates that developments should be approved unless any

- adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against its policies as a whole. This is a material change in circumstances since the 2008 appeal.
18. Given the housing position, there would be considerable benefits to the provision of additional new housing on this site. The mix of housing, including the development of bungalows, would gain support from CS Policy CS8. This edge of settlement site represents a relatively sustainable location for new development and gains support from CS Policy CS2. The properties could be built to high standards with regard to sustainable living and the use and generation of energy and as such, subject to such measures being required by condition, would gain support from CS Policy CS3. The proposal would also generate short-term employment and economic activity.
 19. I have been referred to a number of other applications that have resulted in permission being granted for housing within parts of green wedges within the borough. I have not been provided with the full details of these but I have been provided with the decision of the Secretary of State relating to land north of Low Lane, High Leven, Ingleby Barwick. This also refers to the other developments mentioned by the appellant and it is clear that the benefits of each of those individual schemes was found to outweigh the harm that would result, including the harm resulting from the loss of the openness of the green wedge and conflict with Policy CS10(3).
 20. The Low Lane appeal related to a large housing site and a Free School and Sixth Form. In that case, the benefits of the proposal were similarly found to outweigh the harm that would result. The scale of harm to the green wedge was also considered and it was found that the degree of separation that would remain between the settlements would be sufficient for them to remain readily perceptible as separate entities. Although reducing the amount of separation, I consider that this would also be the case with regard to the current appeal.
 21. I must stress that it is clear from the description, that the character and utility of the green wedge in the Low Lane case, differs significantly from the area in the vicinity of the appeal site. The proposal was also for a large number of both market and affordable houses that would make a greater contribution towards housing need. That proposal was in outline and a number of matters were left to be resolved at the detailed planning stage. I have had regard to the reported findings but I must also consider this development on its own merits and balance the harm against the benefits, with paragraph 14 of the *Framework* in mind.
 22. I acknowledge that the use of the land as a garden is lawful. I also note the plans submitted showing a swimming pool building within the rear area of garden. It is suggested that it could be built as permitted development as it would fall within the curtilage of a dwellinghouse and would be an ancillary use. Even if I accept that such works represent permitted development and there is a strong likelihood that the building would be erected in an area of the site that would have the greatest wider impact, I would not be satisfied that this would cause the level of harm that would result from the appeal proposal. The issuing of a lawful development certificate, accepting the use of this land as garden, has however occurred since the previous appeal and I have had regard to the matters put forward in this regard.

23. I have considered the concerns lodged with regard to the loss of the farmhouse. However, the new houses proposed to the north of the site would result in improvements to the environment when viewed from the head of Bassleton Lane. I am satisfied that, subject to the suggested recording condition, these benefits would outweigh the concerns expressed and would represent a positive feature of the development.
24. I have had regard to the professional views of the Council's officers. Whilst these provide some weight in favour of the proposal, the Council is entitled to take an alternative view.

Conclusions

25. There are clearly substantial benefits to the development of new housing, given the Council's housing position. The proposal also gains support from a number of development plan policies. This area of land does not contribute physically to the amenity of the neighbouring land and has a distinctly different character. The effective extension of the settlement would not be a positive feature but the scale of harm to the green wedge would be limited given its existing lawful use and defined margins.
26. The development would however result in harm to the openness of the green wedge and would conflict with the policy that seeks to protect it. I also have concerns with regard to the layout and design of the proposal. The proximity of development to the boundary and the lack of space for landscaping would not adequately respect the openness of the area beyond the site and would fail to provide a satisfactory transition between these areas. I am also concerned that the housing proposed would be of very limited design quality. I consider that the proposal, as submitted, would represent poor design.
27. The failure of the proposal to accord with the development plan in terms of its impact on the green wedge must be acknowledged. The *Framework* is however a material consideration and may, in certain circumstances, carry sufficient weight to justify a decision other than in accordance with the development plan. In this case, I find the benefits of additional housing, given the housing position, to be sufficient to outweigh the harm that would result from the closing of the gap between settlements and the reduction in openness of the green wedge, given the very particular characteristics of this enclosed site.
28. However, I find the design shortcomings and the harm that would result to the character and appearance of the immediate area to weigh significantly against this proposal. Furthermore, the *Framework* is clear that permission should be refused for development of poor design. Even if I were to afford little or no weight to the proposed alignment of the green wedge boundary, I consider that the harm that would result to the character and appearance of this area would be sufficient to significantly and demonstrably outweigh the benefits that have been identified. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR

DELEGATED

AGENDA NO

PLANNING COMMITTEE

5 JULY 2017

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

17/0909/REM

**Wynyard Village Extension - Phase A, Wynyard,
Reserved matters application the erection of 138 dwellinghouses.**

Expiry Date: 2 August 2017

SUMMARY

Outline planning consent was granted on 30th January 2017 for the construction of up to 500 houses, Primary School (inc Sport Facilities and nursery, Retail Units (up to 500sqm), Doctors Surgery, Community Facilities, access and associated landscaping, footpaths and open space (all matters reserved).

This application is a reserved matters application for the access, appearance, landscaping, layout and scale for the erection of 138 dwellings.

The proposal is considered to be in line with general planning policies as set out in the Development Plan and is recommended for approval with conditions.

RECOMMENDATION

That planning application 17/0909/REM be approved subject to the following conditions and informatives below;

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

Plan Reference Number	Date on Plan
A/1228/V7/00/01	3 May 2017
A/1228/V7/00/02	3 May 2017
A/1336/V6-V7/00/01	3 May 2017
A/1336/V6/00/02	3 May 2017
A/1336/V7/00/02	3 May 2017
A/1394/V6-V7/00/01	3 May 2017
A/1394/V6/00/02A	3 May 2017
A/1394/V7/00/02A	3 May 2017
A/1546/V6-V7/00/01	3 May 2017
A/1546/V6/00/02A	3 May 2017
A/1546/V7/00/02A	3 May 2017
A/1550/V6-V7/00/01	3 May 2017
A/1550/V6/00/02A	3 May 2017
A/1550/V7/00/02A	3 May 2017
A/1591/V6-V7/00/01	3 May 2017

A/1591/V6/00/02A	3 May 2017
A/1591/V7/00/02A	3 May 2017
A/1666/V6-V7/00/01	3 May 2017
A/1666/V6/00/02A	3 May 2017
A/1666/V7/00/02 A	3 May 2017
A/17/01/V7/00/02A	3 May 2017
A/1701/V6-V7/00/01A	3 May 2017
A/1701/V6/00/02A	3 May 2017
A/1796/V7/00/01	3 May 2017
A/1796/V7/00/02A	3 May 2017
A/2210/V7/00/01	3 May 2017
A/2210/V7/00/02A	3 May 2017
A/2243/V7/00/01	3 May 2017
A/2243/V7/00/02A	3 May 2017
16-17-007 - P01 Rev D	23 June 2017
16-17-007 - P11 Rev C	23 June 2017
NT13126 001 REV C	26 June 2017

Reason: To define the consent.

- 02 This approval relates solely to this application for the approval of Reserved Matters and does not in any way discharge condition numbers 9, 10, 11, 12, 13, 15, 16, 18, 19, 22, 24, 26 contained in the Outline Planning Approval reference 13/0342/EIS which still require the submission of specific details and the written approval of the Local Planning Authority.**

Reason: For the avoidance of doubt and to define the consent.

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: Lighting

The specification of the LED lighting is yet to be agreed for the upgrading of the existing Wynyard Village street lights and columns. Should the developers agree to have an enhanced specification then this scheme will have to match the agreed specification and these costs will have to be met as additional commuted sums to the section 38 agreement.

BACKGROUND

1. Outline planning permission for the Wynyard Village Extension was granted on 30th January 2017 and comprises the following development (13/0342/EIS): 'Outline application for the construction of up to 500 houses, Primary School (inc Sport Facilities and nursery, Retail Units (up to 500sqm), Doctors Surgery, Community Facilities, access and associated landscaping, footpaths and open space (all matters reserved)'.
2. This is the first reserved matters application submitted in relation to the wider outline planning permission. However, a full planning application was submitted by the Education Funding Authority for the erection of the primary school which is included within the outline planning permission and was approved on 24th May 2017.

3. The outline application was accompanied by a Design and Access Statement which set out the concepts and proposals for the development of the site and provides a basis for the determination of future reserved matters applications. A condition attached to the planning permission requires these details to be broadly in accordance with the approved Design and Access Statement. The development of the design of the housing scheme has taken place against the backdrop of the approved Design document for the site.

SITE AND SURROUNDINGS

4. The site is bound to the north by the existing built form of the village with residential dwellings directly to the north and Wynyard Woods (road) beyond. To the east the site is bound by the approved primary school and proposed retail units. The west of the site is directly bound by woodland and beyond is land which is currently greenfield but forms part of the outline planning permission for the village extension. To the south the site is bound by woodland.

PROPOSAL

5. The proposal relates to Phase A of the outline planning permission. This Phase of development comprises the erection of 138 homes. The proposed mix of dwellings comprises 115 x 4 bed homes and 23 x 5 bed homes.
6. The proposal also includes the provision of formal and informal open space and SuDs throughout this Phase of development and includes the provision of a Spine Road which links the development with Wynyard Woods. The Spine Road will also provide access to the Primary School and provide links to future phases of development.
7. In regard to materials, the scheme will use a variance of brick types, and render to provide a varied street scene representative of the locality. The main materials will be a mixture of up to 6 brick types with a mixture of high quality buff and red brick and the dwelling designs are traditional in appearance. Render and buff brick faced units are generally used as 'significant' or 'gateway' buildings. Roof coverings for the development will also see a predominance of slate-look coverings. As with certain examples of the area, this material palate is complimented by stone detailing at eaves level, in addition to door surround and window heads and cills.
8. The southern fringe of the site features a wooded plantation and it is proposed to preserve an area of open space grassland between the housing and woodland.

CONSULTATIONS

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

Highways England Company Limited

Highways England do not consider that this development will have a significant impact on the Strategic Road Network and accordingly we have no objections to this application as set out.

The Ramblers Association

We thank the Council for consulting the Ramblers' on the planning application above.

We are quite satisfied with the retained and dedicated walkways within the development (D & A Statement section 11 paras 1d and 2d).

Do the "controlled access points" between adjoining developments (mentioned in 13/0342/EIS) feature in the current proposals?

Sport England

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case.

Grindon Parish Council

Within the documents there is no mention of a Wynyard loop relief road linking the new loop road to the A689 near the walkway bridge at a new 4th roundabout.

There is a need for No Parking signs on the new main road near the proposed Doctors Surgery and shops as the school still has inadequate parking and it will overflow into this area.

No provision has been made for planting of visual and audio screening of new houses to be built backing onto the proposed cycleway and footpath. This is currently very heavily used.

It is proposed that a play park will be put in the woods where the new road is. This has no parking provision and will be close to what will be a busy road. It should be re-located to a safer site within the development. This is also a sensitive habitat area as identified in the environmental survey as part of the planning application for the road.

Section 106 - Community facilities identified with this application will not commence construction until the 300th property. At proposed build rates this will be at least 10 years from start of proposed build. Wynyard south of the A689 will be 1/3rd larger than today before it gets facilities it needs now.

There is no specific mention of provision of fibre optic broadband in the new development. Given current issues with broadband in Wynyard this should be a specified condition of planning.

Planning Compliance Statement paragraph 2.2 (provided by the builders) describes Wynyard as it currently stands as a 'sustainable community' but Wynyard does not meet the criteria as it has very limited facilities, no public transport which could not support affordable housing. The Draft SBC local plan says no public transport will be provided for Wynyard.

The footbridge planned to link over the A689 is still in the planning application. This is a bridge from nowhere to nowhere and will be an expensive white elephant. An At-grade crossing will fulfil the needs of pedestrians and will be much cheaper and not a blot on the landscape. The bridge does not contribute to sustainability.

Further comments:

- 1) This is the first in what will be 500+ houses to be built in this area of Wynyard. The exit strategy for traffic onto the A689 is via the West gate roundabout which is shared with Wynyard park opposite. Our research shows that on average dwellings in Wynyard have 3.7 vehicles. Therefore the proposed traffic exit onto the A689 is woefully inadequate. Traffic will back up both on exiting the village and on the A689 to enter the village at peak times. There should be a provision for a further roundabout to alleviate this sited further up the A689 near the castle Eden bridge which would allow a more effective and safe ingress and egress for vehicles.
- 2) We welcome the proposed cycle/pathway along the boundary with the existing Wynyard Woods housing however would welcome a condition that calls for extensive planting and screening directly behind current housing on Wynyard Woods to minimise noise and disruption for residents.
- 3) The playpark proposed in the centre of the "Care Home Trees" is sited in a totally impractical

place. It assumes that residents will walk to it as there is no provision for parking. In our experience of Wynyard this will not happen. We would ask for a more suitable positioning of this

playpark to be near the proposed GP practice and shops where there is parking or within the housing development where at least some residents can walk to it.

4) The main road through the development off which the residential cul de sacs are situated needs

to be no parking along its full length. This will safeguard residents, especially children and animals,

from traffic and should also be fitted from the start with either speed bumps or chicanes to slow down the traffic. Wynyard has a history of speeding by its residents and building in measures at the start of development should be the norm.

5) The Planning Compliance Statement supplied by the developer makes reference, at 2.2, to Wynyard being a "sustainable village" - this is not accurate. Wynyard is clearly not a sustainable

village with its complete lack of community facilities and public transport. This application does nothing to improve the sustainability of the village. It has no reference to the building of community

buildings and open spaces, it does not include the badly needed shops, GP Practice at all. We would like strong assurances that these will be the NEXT in line to be built after these houses.

Not

left until after the 300th dwelling as the section 106 document states. This would take a minimum

of 10 to 15 years by the calculations of the developer for build volumes in their application. The constant adding of dwellings with no community facilities needs to be addressed in the planning

applications as a matter of urgency by Stockton Borough Council - this is an impoverished community in many ways with its lack of facilities.

6) The Section 106 plans for this development and those that follow includes a bridge across the

A689 at the East gate roundabout. This was no doubt part of the plans for when the proposed hospital was to be sited north of the A689. It is no longer needed or desired by residents. It will be

a costly "White Elephant". No-one will use this to walk their children to school it is too far away from the Primary School site (both current and proposed) and too far away from the (only) shop and pub for use for those purposes. We would ask that this bridge be removed as a requirement

and put in a traffic lit foot crossing instead which makes far more sense and is far less costly for the developers. We could then ask for more of the section 106 monies to be spent on the community facilities that the residents have already asked for as part of the consultation for the Wynyard Neighbourhood Plan.

7) We would ask that a condition of the development be the provision of state of the art fibre optic

broadband so that this section of Wynyard is not left in the same situation as some of the current

housing where broadband speeds are frankly archaic and totally unacceptable

SBC Highways Transport And Environment

Executive Summary

This application is for Reserved Matters approval with regards to access, appearance, landscaping, layout and scale.

This memorandum takes account of the drawings submitted and any subsequent revisions received including:

- 16-17-007 - P01 Rev D - Proposed Site Layout
- 16-17-007 - P11 Rev C - Proposed Site Layout - Extract
- NT13126 001 REV C - Landscape Masterplan

Having reviewed the latest plans the Highways, Transport and Design Manager considers that the proposals submitted are acceptable.

Therefore subject to specific details, as set out in Appendix 1, being secured by the appropriate controlling conditions which are attached to the previously approved outline application 13/0342/EIS, and also listed below, the Highways, Transport and Design Manager has no objection to the proposals.

Controlling conditions attached to outline approval 13/0342/EIS:

- Condition 9 - Within each phase, details of all external finishing materials including roads and footpaths and all hard landscaped areas shall be agreed with the Local Planning Authority before that phase of the development is commenced. Thereafter the development shall be implemented in accordance with the approved detail.
- Condition 10 - Within each phase, all means of enclosure, public art and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before that phase of the development commences. Such means of enclosure, retention and street furniture as agreed shall be erected before the development hereby approved is occupied.
- Condition 11 - Within each phase development shall not be commenced until details of the lighting columns, light colour and luminance have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
- Condition 12 - 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 applicable at the time the scheme is submitted to the Local Planning Authority for approval or when registered with building control, whichever is the sooner. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.
- Condition 13 - Within each phase, no Development shall be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space and play facilities by the developer in accordance with the Open Space, Sport and Recreation Supplementary Planning Document as part of the development, and such arrangements shall address and contain the following matters:
 - A. The delineation and siting of the proposed public open space;
 - B. The type and nature of the facilities to be provided within the public open space including the provision of play equipment for all age groups including young children and teenagers which shall be supplied and installed to a specification as agreed by the local planning authority;
 - C. The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development;

D. The arrangements the developer shall make for the future maintenance of the Public Open Space;

E. The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed by the local planning authority.

- Condition 15 - Within each phase, a detailed scheme for landscaping and tree and/or shrub planting and grass including planting and construction techniques for pits in hard surfacing and root barriers shall be submitted to and approved in writing by the Local Planning Authority before the commencement of that phase of the development. Such a scheme shall specify stock types, stock sizes and species, planting densities; inter relationship of planting, layout contouring, drainage and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar prior attained size and species unless the Local Planning Authority gives written consent to any variation.
- Condition 16 - Within each phase no development shall take place until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the commencement of that phase of the development, Landscape maintenance shall be detailed for the 5-year establishment period and the landscape management plan shall be carried out as approved.
- Condition 18 - Prior to the commencement of each phase of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- Condition 19 - Within each phase, no development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) has been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection). Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.
- Condition 22 - A Construction Management Plan shall be submitted and agreed, prior to the commencement of development on each phase, with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation 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.
- Condition 24 - Within each phase development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

- Condition 26 - Within each phase no development permitted by this planning permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-
 - details of the drainage during the construction phase;
 - details of the final drainage scheme, including sustainable drainage measures proposed;
 - provision for exceedance pathways and overland flow routes;
 - calculations in support of the proposals;
 - a timetable of construction;
 - a construction quality control procedure;
 - a plan for the future maintenance and management of the system and overland flow routes.

Appendix 1 – Detailed Comments

Highways Comments

This is a Reserved Matters application for the erection of 138 dwelling houses; together with access from Wynyard Wood.

A Construction Management Plan (CTMP) should be agreed, should the application be approved, prior to construction commencing on the site. The requirement to provide a CTMP has been secured by controlling condition attached to the previously approved outline application 13/0342/EIS.

Traffic Impact

The principles for the provision of housing on the site have previously been established through the outline planning application for the Wynyard Village development (13/0342/EIS).

The trip generation, distribution and assignment for the full quantum of residential development for 500 dwellings and the subsequent operational impacts, on both the local and strategic road networks, have been assessed as a part of the outline planning application (13/0342/EIS).

The assessments included the cumulative impacts associated with the various proposed and extant developments, at both Wynyard Village and Wynyard Park, and were deemed to be acceptable, with no severe residual cumulative impacts.

Therefore the impact on both the local and strategic highways network, which has previously been considered and accepted as a part of extant approval 13/0342/EIS, is not a material consideration of this current application.

Vehicle Access

The site will be accessed from Wynyard Woods via a new link road, as shown on drawing reference 16-17-007-P01 Rev D, which will form a continuation of Wynyard Woods and become the main road alignment.

The proposed link road will form a continuation of Wynyard Woods, with a road width of 6.7m, which is wide enough to accommodate a future bus route, verge widths of 2.5m and footpath widths of 2m.

The proposed site access arrangements, which were also considered as a part of planning approval 17/0526/FUL, are considered to be acceptable.

The works to re-align Wynyard Woods and create a new simple T junction to serve the remainder of Wynyard Woods, which will be subject to detailed design, should be secured via a

s278 Agreement. It will be necessary for Hartlepool Borough Council to be party to the Agreement as most, if not all, of the proposed works to the existing highway sit within their Borough.

Layout/Parking

The proposed development as illustrated on Drawing Number 16-17-007-P01 Rev D and 16-17-007-P11 Rev C have been designed in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) and Supplementary Planning Document 3: Parking Provision for New Developments.

The applicant will need to enter into a Section 38 Agreement for the highway; footpaths shared spaces, verges and highway trees which will become highway maintainable at the public expense. The property boundaries as shown do however leave areas of garden / road that are not within the highway; the extent of the adoptable highway will need to be confirmed and it is assumed these other areas would be privately managed not title transferred.

Street Lighting details are to be agreed prior to construction commencing on the site. The requirement to provide Street Lighting details has been secured by controlling condition attached to the previously approved outline application 13/0342/EIS.

Landscape & Visual Comments

This is a Reserved Matters application for the erection of 138 dwelling houses; together with access from Wynyard Wood. The principles for the provision of housing on the site have previously been established through the outline planning application for the Wynyard Village development (13/0342/EIS).

Layout

The general site layout provides a fluid and organic layout, which lends itself to providing a series of interesting and sequential spaces. The residential areas are separated by multifunction green open space that also incorporates principal locations for shallow basins in relation to the SUDs strategy for the development.

The organic approach to the road layout provides opportunities to locate key visual markers as you progress through the site. The submitted drawing: 16-17-007 - P05 – Proposed Syntax Plan demonstrates this by highlighting the location of proposed gateway buildings, significant buildings, corner turners, and significant frontages. These are elements within the built environment that will require enhanced treatments to their architectural design or palette of materials. This includes the appropriate location and orientation of buildings or active frontages to ensure that the development reduces the amount of blank gable ends that can be seen from key viewpoints. This approach will aid legibility through the site and help to frame changes in character and road hierarchy.

A large percentage of properties either front onto primary roads, secondary roads, green corridors or public open space in accordance with Manual for Streets and best urban design practice.

Hard and Soft Landscaping

Whilst the layout provides viable space in which to develop high quality landscaping in line with the design guidance for Wynyard Park the details provided on the submitted drawing: NT13126 001 REV C - Landscape Masterplan; hard and soft landscaping details are not sufficiently developed to discharged the relevant planning conditions attached to the outline application (13/0342/EIS). Also there may be interdependencies between these details and the Flood Risk Strategy as the Public Open Space incorporates 'indicative' SuDs basins which must be designed in such a way as to provide multi-functional open space. This will require the side

slopes of the proposed dry basins to have a gradient that does not exceed 1:5 which, as no details of the design of the proposed SUDs basins have been provided at this stage, may impact on the storage capacity of the areas identified. The details of the proposed SuDs basins, alongside those of the detailed soft landscaping scheme, must be agreed prior to construction commencing on the site. The requirement to provide hard and soft landscaping details and a scheme for the provision of surface water have been secured by controlling condition attached to the previously approved outline application 13/0342/EIS.

The following comments should be incorporated into details to be submitted as part of the discharge of controlling conditions noted above:

- Proposed locations of street trees particularly those located along the main road boulevard need to be taken into account when developing the street lighting strategy for the site. It is essential any ducting and feeder pillars associated with street lighting are carefully considered taking into account proposed tree pit extents and future canopy growth;
- Future tree growth and species type should be considered when locating trees near to residential units. For example, the proposed tree indicated next to plot 33 is considered too close to the proposed dwelling. A distance of 6m from building edge to tree centre is recommended;
- The suggested tree species schedule requires revision to restrict the main avenue planting to 3 species. The main tree species selection to be made from the existing trees established in the existing village. This will help integrate this new development into the wider viable. The tree selection for this application, the first of the outline consent will inform future applications that come forward as part of the agreed masterplan;
- Areas of shrub planting must be provided in accordance with the agreed Wynyard Village design guide;
- It is recommended that the applicant considers an enhanced surface treatment to the footways and carriageways within the central area bounded by plots 28, 29, 84, 102 and 103. This should consist of block work to the carriageway and textured paving to the footways. This will support the legibility and hierarchy of spaces principals set out in the submitted Syntax Plan;
- The areas indicated as potential SuDs for the site also need to function as amenity grass areas with the exception of the SuDs located along the southern boundary of the site. As such gradients should not exceed 1:5 and any potential SuDs should be informal in shape to avoid constant lines and gradients to create landforms that are to be found in a natural landscape. In this way the form of the amenity grass areas should add the necessary open space amenity to the new housing estate in a design that does not prevent the grass areas also being used for secondary informal recreational uses;
- Whilst the agreement of soft landscape details form part of conditional outline approval it is noted when seeking discharge of this condition that the selection of grass species will have to be informed by the new proposal to use parts of the proposed amenity open space as surface water attenuation basins;
- The proposed pumping station to the south of plot 89 will require appropriate soft landscape screening;
- The current layout lacks a number of footway connections across the primary road, which in the long term will lead to the creation of unwanted desire lines through grass verges. It is recommended that further connection points are included as part of the hard landscaping details;
- It is recommended that the entrance to the footway that leads from the equipped play area be integrated with the proposed crossing point and footway access to the exiting residential area to the east to form a gateway. It is anticipated that this central point will become a hub of activity given its convergence of key connection routes and therefore an enhanced approach will be required to aid legibility and movement through the space;
- Proposed 6m shared spaces or driveways need to ensure that both the service strip and lighting columns including associated ducting routes and feeder pillars are incorporated within

the 6m of hard standing. Below is a recommended layout indicating the service zone demarcated in a different block colour, and the lighting column positioned within a splay kerb build out;

Boundary Treatments (Means of Enclosure)

Notwithstanding details provided on the submitted drawing: 16-17-007 - P02 Rev B - Boundary Treatment Plan, boundary details need to form part of the wider landscape detail design to understand the visual impact of such details on the streetscene. It is noted that some of the parkland fencing is proposed as boundary treatment to individual dwellings rather than the wider landscape leading which would tie in with the wider Wynyard design theme. The location of such fences adjacent to building frontages could lead to areas of private garden being formed beyond the individual residential properties titled land and lead to a highly fragmented fence line. In some places the estate rails should be when combined with hedge planting. As part of the enclosure details a plan at 1:200 scale should be provided indicating areas of residential curtilage, areas to be maintained by the management company and other areas to be offered for adoption.

The requirement to provide the required details in relation to means of Enclosure has been secured by controlling condition attached to the previously approved outline application 13/0342/EIS.

Public Open Space

The Landscape Masterplan indicates a dedicated kick-about space to the south of the site. This area will, when combined with an area of Public Open Space to be secured through the adjoining application site (17/1429/REM), create a viable, roughly square and level informal play area measuring approximately 0.6ha. This space is part of a series of multi-functional spaces, and one that will be complemented by the community facilities approved as part of 17/0526/FUL application for the school on adjacent land to the east and an equipped play area proposed within the existing woodland north east of the site.

Flood Risk Management Comments

This approval relates solely to this application for the approval of Reserved Matters and does not in any way discharge conditions contained in the Outline Planning Approval reference 13/0342/EIS which still require the submission of specific details regarding Flood Risk and Surface Water Management. These details will require the written approval of the Local Planning Authority.

Informative

The specification of the LED lighting is yet to be agreed for the upgrading of the existing Wynyard Village street lights and columns. Should the developers agree to have an enhanced specification then this scheme will have to match the agreed specification and these costs will have to be met as additional commuted sums to the section 38 agreement.

Environmental Health Unit

I have checked the documentation provided, and have found no grounds for objection in principle to this reserved matters application.

Hartlepool Borough Council

No objections

Natural England

Natural England has no comments to make on this application.

Tees Archaeology

This site has previously been subject to archaeological evaluation and no further investigation is required.

Northumbrian Water Limited

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

In making our response to the local planning authority Northumbrian Water will 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 I can confirm that at this stage we would have the following comments to make:

An enquiry was received by NWL from the applicant for allowable discharge rates & points into the public sewer for the proposed development. I note that our response to this enquiry has not been submitted with the planning application. I have therefore attached a copy for your information.

In this document it states that foul water will discharge to the agreed manhole 9701 and surface water will discharge to manhole 3801 at a restricted rate of 50 Litres per second if it is proven that there is no other option for the disposal of surface water.

Because the applicant has not submitted a drainage scheme with the application, NWL request the following condition:

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

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

Any drainage scheme submitted to the Local Planning Authority should be in line with the attached NWL comments.

Please note that the planning permission with the above condition is not considered implementable until the condition has been discharged. Application can then be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

Northern Gas Networks

Northern Gas Networks acknowledges receipt of the planning application and proposals at the above location.

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where

Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue.

If you have any further enquires please contact the number below.

PUBLICITY

10. Local residents have been individually notified of the application and it has also been advertised on site.

11. 8 letters of objection were received from the following addresses. The full details of the objections can be viewed on line at the following web address <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

Mrs Kerry Bailey, 5 Holderness, Wynyard;
Mr Martin Errington, 15 Amerston Close, Wynyard
Mr Nick Coleby, 7 Tilery Wood, Wynyard
Mr John Smith, 10 Woodside, Wynyard
Dr Gareth Williams, 2 Horse Shoe Pond, Wynyard
Mrs Diane Howie, 15 The Plantations, Wynyard
Mr John Hunt, 23 The Plantations, Wynyard
Mr Dean O'Rourke, 4 The Plantations, Wynyard

12. The main objections/concerns can be summarised as:

- The proposed traffic exit onto the A689 is woefully inadequate.
- Traffic will back up both on exiting the village and on the A689 to enter the village at peak times. -- There should be a provision for a further roundabout sited further up the A689 near the castle Eden bridge
- Need for extensive planting and screening directly behind current housing on Wynyard Woods to minimise noise and disruption for residents.
- The playpark proposed is sited in a totally impractical place.
- The main road through the development off which the residential cul de sacs are situated needs to be no parking along its full length.
- Wynyard is not a sustainable village and needs community facilities and public transport provided early in the development.
- The Section 106 plans for this development and those that follow includes a bridge across the A689 at the East gate roundabout. It is no longer needed or desired by residents and should be removed as a requirement and put in a traffic lit foot crossing instead;
- We would ask that a condition of the development be the provision of state of the art fibre optic broadband;
- This development is not in keeping with the Wynyard Plan for low density housing.
- This is a major overdevelopment of the site which will put unnecessary strain on the existing residential roads as well as the drainage and utilities in the area.
- The plan incorporates a main access road running alongside an existing walkway used by young families dog walkers joggers etc - rendering the walkway unsafe for future use.
- Why put the frontage of the new homes facing the rear of existing properties?
- This development will set a precedent for high density development in the area.
- Out of keeping with the rest of the area.
- The traffic issues on Wynyard and on A689/A19 will be severe.
- Parking problems,
- Anti-social behaviour

Litter

- Noise
- Loss of the rural, open spaces,
- Impact on wildlife is our greatest concern.
- Development at odds with the original vision of Wynyard;
- This wooded area is currently used by children for underage drinking and air rifle practice and anything which might increase this tendency is certainly unwelcome.
- Devalue houses in the immediate vicinity.
- Impact on privacy currently enjoyed by householders.
- Farmers field was supposed to be protected land. It was never ever up for development.
- Wynyard estate is already totally overdeveloped and far exceeds the original plan for this area. - Surrounding road infrastructure cannot cope.
- The proposed access to this site is through one of the few remaining ancient woodlands.
- The Wynyard Wood road from the proposed junction to the Wynd past the care home will be totally overloaded
- Is a development of this scale needed in Wynyard village?
- Development goes against the neighbourhood plan

PLANNING POLICY

13. 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

14. 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

15. 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 Yam 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 EN7

Development which harms the landscape value of the following special landscape area will not be permitted:-

(c.) Wynyard Park

Saved Policy EN9

Development which is likely to be detrimental to the special historic interest of Wynyard Park will not be permitted.

MATERIAL PLANNING CONSIDERATIONS

16. The main considerations of this application relate to the details of the proposed development, its access, appearance, landscaping, layout and scale and its relationship to existing development and whether it satisfies the requirements of the Development Plan Policies.

Site characteristics, detailed design and relationship and impact on existing development

17. The application site already has outline consent and therefore the principle of the development has been established, all matters were reserved as part of the original approval. This application is concerned with these matters and relates to the form and design of the development as a whole including parking provision.
18. The outline approval set a development threshold of 500 dwellings and the Design and Access Statement that accompanied the Outline Planning Application set out a number of design principles and it is considered that the proposed scheme has satisfactorily incorporated these requirements into the design and overall layout.
19. The proposed housing layout incorporates a mix of house types, which are traditional in design with detailing to reflect local vernacular and using a palette of materials chosen to reflect the appearance of traditional dwellings. The use of a variety of bricks, render and slate grey roof tiles, adds variety and interest to the streetscape.
20. The dwellings themselves consist of a range of house types and the proposed layout has been designed to ensure that adequate distances are met. The mix gives a variety of accommodation and the internal arrangements together with the positioning of window openings have been designed to minimise any overlooking and it is considered that the proposal relates well to existing development in the vicinity.
21. The development shares a vehicular access which was recently approved as part of the primary school planning application and the internal road layout features a hierarchy of roads which enables a legible route in and around the site.
22. In addition to the above access points, including pedestrian footways, a network of perimeter footpaths enables further links into the site and the opportunity to move around within the development.
23. The dwelling frontages are orientated to provide a high level of natural passive surveillance to the streets and spaces with clear definition between the public and private realm.
24. The proposed development is 2 storey dwellings and the front gardens to the dwellings are established as privacy zones, and subject to the dwelling location, will comprise of a range of enclosures.
25. Key landscape features such as the plantation woodland to the south has been retained and the open space is provided which offers amenity opportunities for the future residents. The engineering of the site introduces SUDS to assist with the attenuation of the surface and ground water run-off, in the interests of not surcharging the local surface water drainage. The Council's Landscape Architect has considered the proposal and is satisfied with the scheme subject to appropriate controlling conditions.

Other Matters

26. As part of the outline consent, the applicant entered into a Section 106 Agreement to provide a financial contribution for the additional school places, local labour agreement, off-site affordable housing contribution, highway mitigation works; bio-diversity off setting to compensate for the loss of natural habitat and the timing and provision of community facilities including a doctor's surgery.
27. A number of conditions were also attached to the consent covering amongst others flooding, ecology, drainage, phasing and contaminated land. These conditions will still be required to be fully met by the developer.

28. A number of objections have been raised by local residents which are summarised earlier in this report and which are considered to relate primarily to the principle of development which has already been established by the granting of outline planning permission. Highways impact and other matters raised were fully considered and addressed as part of the original outline planning permission.
29. The provision of infrastructure in dwellings to enable future provision of fibre optic broadband is a building control requirement.
30. The privacy of existing dwellings has also been taken into account at the northern boundary where dwellings are orientated to overlook the existing public right of way. In this area the provision of a green buffer will provide a minimum of 40-60m distance from the existing dwellings. The overlooking of the public right of way also ensures safe and accessible environments are achieved.
31. In terms of residential density, developments are expected to be at densities that are appropriate to their surroundings and respect the character of the area. It is noted that the village is characterised by low density development. The approved DAS identifies that developments across the site will be designed with the objective of achieving 30% public open space and 70% developed area across the outline planning permission area. This phase of development proposes to deliver development set in surroundings of high quality landscaping, green infrastructure and public realm. The Council's Landscape Architect considers the general site layout provides a fluid and organic layout, which lends itself to providing a series of interesting and sequential spaces. The residential areas are separated by multifunction green open space and is therefore in general conformity. In terms of the relationship between the homes and primary roads the proposed layout acknowledges the requirements of the approved DAS and homes are set away from the primary roads and are accessed by secondary or tertiary routes.
32. External consultees have also confirmed that they are satisfied with the proposal and raise no objections.

Means of Access, Parking and Traffic Issues

33. The trip generation, distribution and assignment for the full quantum of residential development for 500 dwellings and the subsequent operational impacts, on both the local and strategic road networks, have been assessed as a part of the outline planning application (13/0342/EIS). The assessments included the cumulative impacts associated with the various proposed and extant developments, at both Wynyard Village and Wynyard Park, and were deemed to be acceptable, with no severe residual cumulative impacts. Therefore the impact on both the local and strategic highways network, which has previously been considered and accepted as a part of extant approval 13/0342/EIS, is not a material consideration of this current application.
34. The site will be accessed from Wynyard Woods via a new link road which will form a continuation of Wynyard Woods and become the main road alignment with a road width of 6.7m, which is wide enough to accommodate a future bus route, verge widths of 2.5m and footpath widths of 2m. The proposed site access arrangements, which were also considered as a part of planning approval for the new primary school (17/0526/FUL) are considered to be acceptable. The proposed development has been designed in accordance with the Council's Design Guide and Specification.
35. Having considered the highway arrangements in terms of how it functions and highway safety implications as well as general parking provision, the Highways Transport and Design Manager is satisfied with the proposal subject to appropriate controlling conditions.

CONCLUSION

36. The nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and the layout is acceptable in terms of highway safety and is in accordance with policies in the Development Plan identified above and therefore the recommendation is to approve the application subject to the conditions set out in the report.

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

WARD AND WARD COUNCILLORS

Ward Northern Parishes
Ward Councillor(s) Councillor J Gardner

IMPLICATIONS

Financial Implications: As report

Environmental Implications: As report

Human Rights Implications:

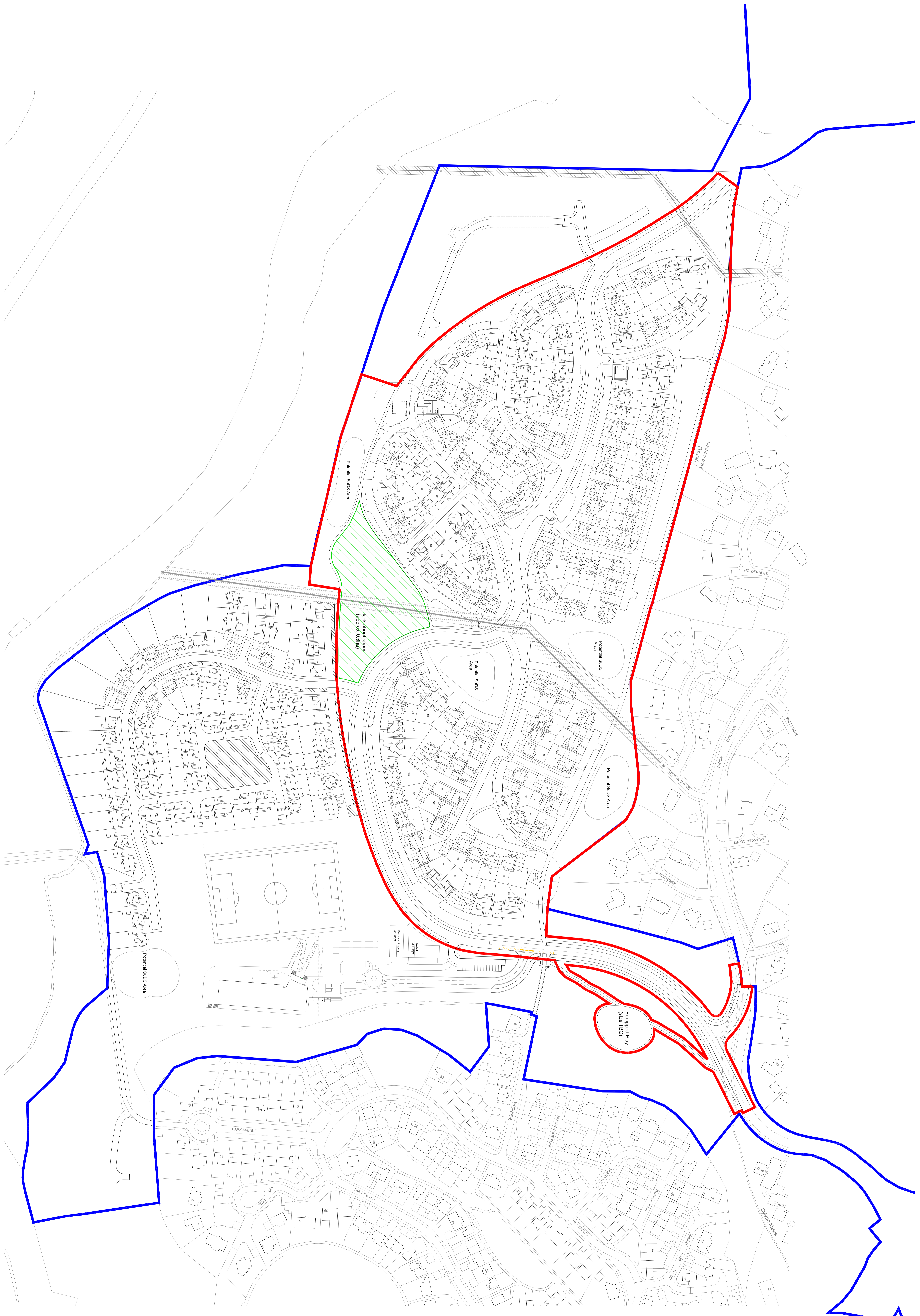
The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

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
Planning Application reference 13/0342/EIS



Notes: Wider plans outside of red line shown for context only and may not be the latest versions.



REV | DATE



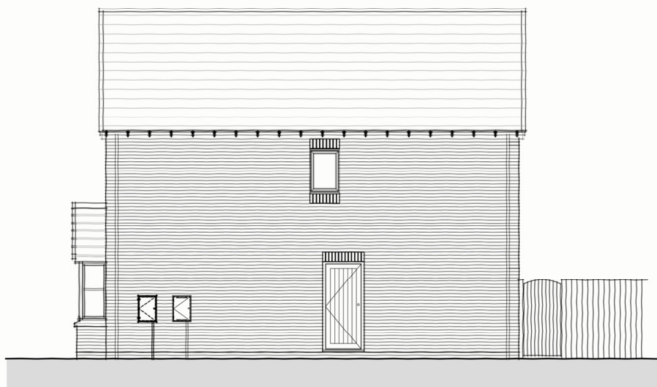
SIDE ELEVATION



FRONT ELEVATION (std)



SIDE ELEVATION



REAR ELEVATION

CLIENT
Bellway
 BELLWAY plc
 Seaton Burn House, Dudley Lane, Seaton Burn
 Newcastle-upon-Tyne, NE1 3 6BE
 Tel: 0191 2170717 Fax: 0191 236230
 www.bellway.co.uk

PROJECT
Wynyrd Village

DRAWING TITLE
**Lilac (4b det)
 Planning Elevations**

1394 ft2

Drawn	Date	Scale
AR	23/03/17	1:100@A3
Job No	Drawing No	Revision
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Dwg Status	PLANNING	

1394-Lilac.dwg

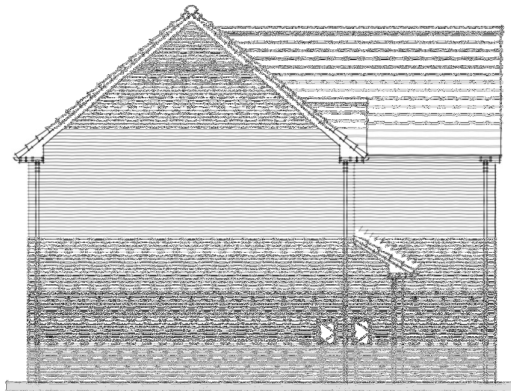
REV | DATE



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

CLIENT
Bellway
 BELLWAY plc
 Seaton Burn House, Dudley Lane, Seaton Burn
 Howden Road, York, YO21 3JG
 Tel: 0191 217017 Fax: 0191 355232
 www.bellway.co.uk

PROJECT
 Wetherby Villages

DRAWING TITLE
 Alder (4b det)
 Planning Elevations

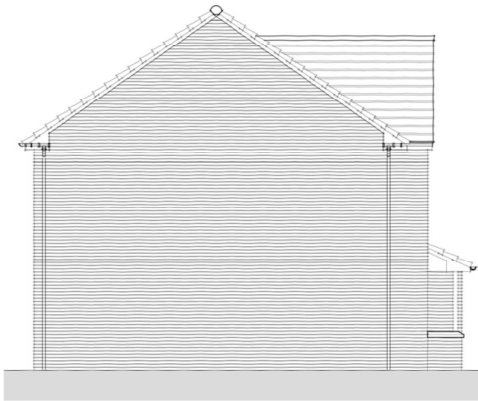
1591 n2

Drawn	Date	Scale
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Job No	Drawing No	Revision
0000	A/1591n/00002	-
Drawn By	PLANNING	

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REV | DATE



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION

CLIENT

Bellway
BELLWAY plc
Seaton Burn House, Cudley Lane, Seaton Burn
Rothwell, Leeds, Wetherby, West Yorkshire LS23 7BQ
Tel: 0191 2579977 Fax: 0191 259235
www.bellway.co.uk

PROJECT

Wynyard Village

DRAWING TITLE

Maple (4b def)
Planning Elevations

1336 ft2

Drawn	Date	Scale
JR	10/10/16	1:100@A3
Job No	Drawing No	Revision
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Dig Status		
PLANNING		

1336 Maple.dwg



Black Squares

Black Corner Plantation

Seaham New Plantation



REV	DATE	
A	20.04.17	Revised following planning comments



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

CLIENT
Bellway
 BELLWAY plc
 Seaton Burn House, Dudley Lane, Seaton Burn
 Wetherby, West Yorkshire LS23 7BQ
 Tel: 01937 547077 Fax: 01937 546668
 www.bellway.co.uk

PROJECT
 Wynyard Village

DRAWING TITLE
 Plans (4b dist)
 Planning Elevations

1796 fl2

Drawn	Date	Scale
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Job No	Drawing No	Revision
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Drawn By: PLANNING		

1796 fl2.dwg



Appeal Decision

Site visit made on 30 May 2017

by David Cross BA (Hons), PGDip, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 June 2017

Appeal Ref: APP/H0738/D/17/3170657

11 The Rigg, Yarm TS15 9XA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Richard Attwood against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 16/3017/FUL, dated 22 November 2016, was refused by notice dated 31 January 2017.
 - The development proposed is demolition of existing attached garage and front porch. Construction of a two storey side/front extension and construction of a front porch.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing building and the street scene.

Reasons

3. The appeal property is a detached dwelling of an understated modern appearance located at the head of a cul-de-sac. I saw that there is some variety in the design of dwellings in the area, and that properties on The Rigg are staggered back from the highway, particularly on the northern side of the cul-de-sac leading up to the appeal site.
4. The proposal consists of a two-storey extension to the side of the dwelling which would also include a gable extension projecting forward of the main front wall of the dwelling by approximately 4m. The resulting form, scale and mass of the extension would not be subservient to the host dwelling, as the front extension in particular would dominate the frontage and would appear as an overdominant extension projecting a significant distance beyond the main front elevation. The proposed side extension would also continue the main ridge line of the property which would exacerbate the overdominant appearance of the proposal.
5. In support of the proposal, the appellant refers to an existing porch and garage which extend to the front of the dwelling by approximately 1m. He also refers to a proposed porch which would extend to the front by approximately 2m. However, these features are/would be located at ground floor level and would not ameliorate or provide a contextual justification for a two-storey front extension of the scale and massing of the proposal.

-
6. Dwellings to the north of cul-de-sac are staggered back from the highway. Therefore there is not a well-defined building line leading up to the appeal site and the proposal would not lead to a potential 'terracing effect' with adjacent properties. However, this context would not overcome the incongruous appearance of the proposal, which would be an obtrusive and overdominant extension projecting to the front of an existing dwelling rather than an integral element of the street scene. The location of the site at the end of the cul-de-sac would add to this visual intrusion as the flank wall of the extension to the front would be readily visible on entering the cul-de-sac.
 7. I appreciate that the extension has been designed to make use of the front garden of the property and maximise amenity space to the rear. I am also mindful of the personal circumstances of the appellant and his wish to accommodate his growing family. I also note that no objections have been received from nearby residents or technical consultees. However, these matters do not provide strong justification for the extension and they do not outweigh the harm to character and appearance that I have identified above.
 8. I conclude that, due to its scale and massing, the proposed extension would harm the character and appearance of the host dwelling and the street scene. The proposal is therefore contrary to Saved Policy HO12 of the Stockton-on-Tees Local Plan 1997 in respect of being in keeping with the property and the street scene. The proposal would also conflict with Policy CS3(8) of the Stockton-on-Tees Core Strategy 2010 in respect of protecting or enhancing local character. These policies broadly comply with the core planning principles of the National Planning Policy Framework with regards to securing high quality design. The proposal would also be contrary to the Supplementary Planning Guidance 2 (Householder Extensions)¹ which advises that front extensions are not normally appropriate, unless there is strong justification.
 9. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR

¹ Supplementary Planning Guidance Note 2: Householder Extension Guide, 2004



Appeal Decision

Site visit made on 30 May 2017

by **David Cross BA (Hons), PGDip, MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 June 2017

Appeal Ref: APP/H0738/W/17/3167103

The Stables, Thorpe Road, Carlton, Stockton on Tees TS21 3LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Foster against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 16/1545/COU, dated 10 June 2016, was refused by notice dated 12 August 2016.
 - The development proposed is conversion of existing workshop/offices to dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether, having regard to the location of the appeal site in relation to services and facilities and in conjunction with national planning policy, the proposal would amount to a sustainable form of development.

Reasons

3. The appeal site consists of a workshop/office building located in a small cluster of dwellings and other buildings between the villages of Carlton and Thorpe Thewles. From my observations of the site and the surrounding area, this collection of buildings appears typical of the small groups of dwellings and associated buildings that can be found within the surrounding open countryside and does not represent a distinct settlement. I also saw that the building is in active use as a manufacturing workshop and is not redundant or disused.
4. The site is located outside of the development limits defined by Policy EN13 of the Stockton on Tees Local Plan 1997. However, the Council states that it is unable to demonstrate a five-year supply of deliverable housing sites, and that this policy should therefore be considered out of date in accordance with paragraph 49 of the National Planning Policy Framework (the Framework). However, whilst Policy EN13 is out of date, this does not mean that it no longer applies although it clearly carries less weight than it would if there were a five year supply of deliverable housing sites.
5. The Council's decision refers to paragraph 55 of the Framework which seeks to promote sustainable development in rural areas and states that housing should be located where it will enhance or maintain the vitality of rural communities. The Framework goes on to note that local planning authorities should avoid

new isolated homes in the countryside unless there are special circumstances, such as the essential need for a rural worker to live permanently at or near their place of work in the countryside; where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or the proposed dwelling is of exceptional quality or innovative. The proposal would not meet the special circumstances listed in paragraph 55 and it should therefore be assessed on the basis of whether it would represent isolated development.

6. Although the site is located in a cluster of dwellings and other buildings, the appeal proposal would, to all intents and purposes, result in an isolated home in the countryside in that it would be remote from the nearest settlements. Facilities in Carlton and Thorpe Thewles would be accessed via a rural road which is unlit and does not have a designated footway for significant parts of the route. I also saw on my site visit that there is an unlit and unsurfaced footpath leading through the countryside to Carlton. Due to the nature and length of these routes, I consider walking and cycling would not be a convenient option for future occupiers of the dwelling, particularly in the evenings and during the winter months. I have had regard to the observations of the appellant in relation to children walking along the road to the villages, but this does not overcome my concerns in relation to these routes.
7. I note that there is a 'Hail and Ride' bus service which could stop adjacent to the site entrance, although on the basis of the evidence presented to me the frequency and times of operation of this service are limited. I also note that there is a school bus which stops in Carlton. However, I do not consider that these facilities will provide a significant alternative to a reliance on the private car due to the relative convenience of these modes of transport.
8. The appellant contends that the proposal would reduce the number of traffic movements compared to the existing light industrial use. However, the number of traffic movements associated with the workshop has to be balanced against the benefit of providing an ongoing place of employment in this rural area. Furthermore, no evidence has been provided to me that this industrial operation will cease should this development be allowed. The industrial use may therefore continue elsewhere with minimal effect on the overall number of vehicle movements.
9. I have had regard to the benefits that would arise from the proposal and its contribution to sustainable development. In relation to the social role of sustainability, the dwelling would contribute to the mix and supply of housing in a rural area where there is demand for this type of dwelling and a shortfall in supply - although this contribution would be to a very limited degree. In relation to the economic role, residents of the dwelling would contribute to the support of services in the area, although this would also be to a limited degree. The construction of the proposal would also create employment albeit to a limited degree over a limited period of time. In relation to the environmental role, I note that the proposal would represent the use of previously developed land albeit of a limited area. The proposal would also not harm the character and appearance of the area or living conditions of nearby residents, although these matters are neutral in the overall planning balance.

10. In support of the appeal, the appellant has referred to two appeal decisions for the conversion of buildings to dwellings in Cowpen Bewley¹. However, I note that these proposals were located within a village (albeit one with limited services) and had convenient access to services in a nearby settlement via a designated and lit footway. For the reasons stated above, I do not consider that these factors apply to the proposal before me. Accordingly, the circumstances of the Cowpen Bewley appeals are not directly comparable to the circumstances of this appeal. I have, in any event, reached my own conclusions on the appeal proposal on the basis of the evidence provided to me.
11. I conclude that the proposed development would not be located where future occupiers would be able to rely on accessible local services and facilities to serve their everyday needs without having to travel some distance and in all likelihood by car. It does not meet any of the criteria specified in Paragraph 55 of the Framework and would conflict with national planning policy in relation to the sustainable location of rural housing. I have considered the benefits arising from the proposal, although I have concluded that these would be limited. Overall, I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. Consequently, the proposal would not represent sustainable development and the material considerations do not justify making a decision otherwise than in accordance with the development plan and national planning policy.
12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR

¹ Appeal Refs: APP/H0738/W/16/3143709 & APP/H0738/W/16/3143718

