

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
16 August 2017
REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT
SERVICES**

16/3035/OUT

Land West Of St Martins Way, Kirklevington,

Outline application with for the erection of up to 90 dwellings and associated access (all other matters reserved).

Expiry Date: 18th August 2017

SUMMARY

Outline planning application is sought for a proposed residential development of upto 90 dwellings with associated parking, landscaping and open space at land south west of the existing village of Kirklevington with access taken from St Martins Way. All other matters (scale, layout, built form and landscape) are reserved.

143 Objections have been received to the scheme.

The main considerations of this application relate to the principle of development, sustainability of the site, landscape and visual impact, indicative layout and design, impact on neighbouring properties, highway related provisions as well as the impacts on drainage and ecology. These and other material planning considerations are considered as follows;

The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and in particular those for achieving sustainable development. The three dimensions of sustainable development are economic, social and environmental. The NPPF also includes a number of core planning principles one of which is the need to identify and meet housing needs as well as respond positively to wider opportunities for growth. Paragraph 47 of the NPPF details the importance the Government attaches to boosting significantly the supply of housing. Paragraph 49 goes further by stating that when a five year land supply cannot be demonstrated the relevant policies for housing should not be considered up-to-date. Paragraph 215 also states that weight should be given to those policies in existing development plans according to their degree of consistency with the NPPF (i.e. the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

In terms of local planning policies there are no specific designations which apply to this site other than the site lies outside the limits to development, consequently the site forms part of the open countryside. Saved Policy EN13 seeks to strictly control development within the countryside beyond these limits and restricted to limited activities necessary for the continuation of farming and forestry contribute to rural diversification or cater for tourism, sport or recreation provided it does not harm the appearance of the countryside. However, just because the site is outside the 'limits of development', the proposed development should not be ruled out purely on the grounds of falling outside the settlement boundary and there are other factors to be weighed in the overall balance which are considered in more detail below.

When considering housing applications a significant material consideration would be the requirement for the local planning authority to demonstrate a five year supply of deliverable housing sites. The Council has a deliverable housing supply of 4.50 with a 20% buffer which falls short of the required five years. Therefore, in accordance with paragraph 49 of the NPPF, policies

in the development plan that deal with housing supply are considered out of date and proposals should be considered in the context of the presumption in favour of sustainable development.

Whilst there are currently a limited amount of services within the village which include a school, community centre; children's play area, public house, church and car repair garage, there is no daily regular bus service. However following the approval of the 'Jomast' site, provisions have been made to expand services within the village. Given that the village already has a number of services, and given that the site is not a significant distance from the southern edge of Yarm where there is a shopping parade, secondary school and train station, the village was considered to be sufficiently sustainable to align with national policy and to support new residential development.

Concerns have been raised regarding the impact of the scheme on local infrastructure, notably shops, secondary schools, doctors and dentists. However, no evidence has been put forward to state the services cannot cope with the development, and therefore it is considered that this in itself would not warrant refusal of the application.

It is recognised that a key benefit of the proposed development would be that it contributes towards addressing the shortfall in the boroughs 5 year housing land supply, as well providing affordable housing units. These have both social and economic benefits as set out within the three elements of the definition of sustainable development. Furthermore, the development would provide a number of jobs in the construction industry and supply chain in the short term and such benefits are consistent with the NPPF and in particular paragraph 17, which encourages Local Authorities to 'drive and support' economic development.

The application has been assessed by the Highways Transport and Design Team who generally raise no objections from a landscape perspective. Various viewpoints have been considered and the development would be visible especially during establishment of the planting the development and the view from the village would change from a rural to urban landscape. The indicative site layout shows structural buffer planning to the boundaries of the site and internal landscaping which would all need to form part of considerations at reserved matters stage, however It is essential that the proposed southern landscape buffer is increased to a minimum of 10m in width, which may reduce the number of properties that can be constructed on the site. It is considered that the proposed landscape buffer would heavily filter any views of the development at maturity bringing the edge of the settlement further south. However until the planting reaches a substantial height, the development would be clearly visible.

Overall it is considered that the proposed scheme would viewed as a extension to the southern side of the village continuing from the already approved development to the east and similarly to the existing approved scheme the landscaping belt would serve to create a buffer between the extended village and the open countryside which is considered would prevent the site appearing like unplanned sprawl of building into the open countryside and therefore there are no landscape/visual objections to the proposed scheme.

The application seeks permission for upto 90 dwellings on the site and the indicative masterplan submitted as part of this outline planning application shows a development with significant amounts of new open space and private gardens with the central area of open space around the central hedgerow providing a focal point to the development. The layout is generally acceted but will be considered in more detail at the reserved matters stage.

The proposal demonstrates that the required separation distances can be achieved between existing and proposed properties which would prevent undue impacts on privacy and amenity for existing residents and it is considered that a form of residential development could be accommodated on the site although the detailed layout and design would require approval via reserved matters application/s were this outline application to be granted.

A transport assessment framework travel plan and draft construction management plan accompanies the application. The Highways Transport and Design Manager has considered the proposed scheme and noted the concerns of objectors however does not considered that there are any highway safety issues which would warrant refusal of the proposed scheme.

Concerns have been raised over highways safety in general terms as well as specifically in relation to the proposed access and the resultant additional traffic onto the network in this part of the Borough and the impacts of additional traffic in Kirklevington, however whilst it is accepted that the highways network within the vicinity of Yarm, would suffer some congestion, it cannot be demonstrated, within the context of NPPF, that the residual cumulative impact of the proposed development on the highways network would be severe. The Highways, Transport and Design Manager has therefore confirmed that he is unable to object to the proposed development in relation the impact on the highway network however, the results show that the proposed development is reliant upon mitigation at the A19/A67 Crathorne interchange and the A67 / A1044 / Green Lane Roundabout. As such a contribution towards the cost of the proposed mitigation should be sought and secured by a legal agreement which forms part of the heads of terms.

Details of the proposed site access arrangements have been submitted showing access from St Martins Way which is considered to be acceptable.

Concerns have been raised over construction traffic, and whilst usually dealt with by condition a draft construction management plan has been submitted by the applicant for consideration. The Highways Transport and Design Manager has considered the proposed plan and raised no objections however a condition has been recommended to ensure the final plan is agreed prior to commencement of development should the application be approved.

A number of objections have been raised regarding drainage; capacity and potential flooding. There is also concerns that the sewage treatment works cannot cope with the additional demand. No objections have been raised by Northumbrian Water or the Flood risk Management Team subject to a number of conditions which have been recommended.

Matters in relation to Ecology; Contaminated Land, Archaeology have been considered long with other material planning considerations and it is considered that no adverse impact will occur subject to a number of controlling conditions which have been recommended.

Overall, it is considered that in the planning balance, although this proposal is out-with the limits for development, there are no designations on site or circumstances which would outweigh the matters of the need for a deliverable 5 year supply of housing.

For the reasons detailed in the report it is recommended that the application be Approved with Conditions and subject to the completion of a Section 106 Agreement as detailed within the Heads of Terms.

RECOMMENDATION

That planning application 16/3035/OUT be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Section 106 Agreement as detailed in the Heads of Terms below or such other terms as may be deemed necessary by the Director of Economic Growth and Development Services;

01 Approved Plans

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

Plan Reference Number	Date on Plan
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PA01	1 December 2016
PA02	28 November 2016
HJB/PA3864/15A	17 March 2017

Reason: To define the consent.

02 Reserved Matters - Details

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

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

03 Period for Commencement

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

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

04 Reserved Matters - Time Period for submission

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

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

05 Discharge of Surface Water

The development hereby approved shall not be commenced on site, until a scheme of 'Surface Water Drainage and Management' for the implementation, maintenance and management of the sustainable drainage scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The scheme shall include but not be restricted to providing the following details;

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

The development hereby approved shall not be brought into use until the approved 'Surface Water Drainage' scheme has been implemented and the approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework

06 Discharge of Surface Water

The drainage system to be adopted by Northumbrian Water Limited in relation to the proposed development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Drainage Strategy" dated "May 2016" unless

otherwise agreed in writing by the Local Planning Authority. The drainage scheme shall ensure that foul flows discharge to the sewer at manhole 7603, and ensure that surface water discharges to the sewer at manhole 4601 at a maximum restricted rate of 10 l/sec.

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

07 Construction Management Plan

No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:

- (i) the site construction access(es)
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials including any restrictions on delivery times;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- (vi) measures to be taken to minimise the deposit of mud, grit and
- (vii) dirt on public highways by vehicles travelling to and from the site;
- (viii) measures to control and monitor the emission of dust and dirt during construction;
- (ix) a Site Waste Management Plan;
- (x) details of the routing of associated HGVs including any measures necessary to minimise the impact on other road users;
- (xi) measures to protect existing footpaths and verges; and a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and visual amenity.

08 Site Construction Access

No development shall take place (except for the purposes of constructing the initial site access) until that part of the access extending 15 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the Councils Design Guide and Specification.

Reason: In the interests of highway safety.

09 Travel Plans

Prior to the development being brought into use, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- (i) the appointment of a travel co-ordinator
- (ii) a partnership approach to influence travel behaviour
- (iii) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- (iv) provision of up-to-date details of public transport services
- (v) continual appraisal of travel patterns and measures provided through the travel plan
- (vi) improved safety for vulnerable road users
- (vii) a reduction in all vehicle trips and mileage
- (viii) a programme for the implementation of such measures and any proposed physical works
- (ix) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The approved Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the approved Travel Plan.

Reason: To establish measures to encourage more sustainable non-car modes of transport.

10 Retention of existing trees shrubs hedge

Notwithstanding the proposals detailed in the submitted plans no tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved landscaping plans submitted at reserved matters stage, without the written authorisation of the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as part of the landscaping scheme or any replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

Reason: To protect the existing and proposed trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

11 Maintenance Softworks

As part of the reserved matters application a soft landscape management shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include maintenance access routes to demonstrate operations can be undertaken from publically accessible land, long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plan prior to the occupation of the development or approved phases.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the local planning authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season.

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

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

12 Landscape Buffer

As part of the reserved matters application full details of a soft landscape buffer to the southern boundary shall be submitted to and approved in writing by the Local Planning Authority. The buffer on the southern boundary shall be a minimum width of 10m. This should include a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

- (i) Commencement of the development;
- (ii) or agreed phases;
- (iii) or prior to the occupation of any part of the development;

and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

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

13 Recording of a heritage asset through a programme of archaeological works

A) No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

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

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

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

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

14 Noise disturbance from adjacent rail traffic:

Prior to the commencement of development, a noise survey for proposed residential properties that are in the vicinity of the railway line shall be submitted to and approved, in writing, by the Local Planning Authority. The survey shall have been undertaken by a competent person, shall include periods for daytime as 0700-2300 hours and night-time as 2300-0700 hours, and identify appropriate noise mitigation measures. All residential units shall thereafter be assigned so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233 "good" conditions given below:

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

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

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the future residents by reason of undue external noise where there is insufficient information within the submitted application.

15 Levels

Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, details of existing ground levels both on site and at adjacent properties which bound the site, finished ground, and finished floor levels for the proposed development shall be 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 the interests of amenity of the occupants of neighbouring properties

16. 10% Renewables or fabric first

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

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

17. Ecology and mitigation

The development hereby approved shall only be undertaken on site in accordance with the recommendations and mitigation as detailed in the submitted extended phase 1 habitat report (November 2016); and protected species and hedgerow report (November 2016) unless otherwise agreed in writing by the local planning authority.

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

18. Construction working Hours

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

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

19. 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: Due to the proposed development's proximity in relation to historical features, namely: 1956: Unknown filled ground pond, marsh, river, stream or dock. Less than 100m² and in the interests of ensuring all land contamination is adequately addressed

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: Working practice

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

Informative: Reserved Matters

When submitting the application(s) for reserved matters; the reserved matters should include the following details

"access", means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

"scale" means the height, width and length of each building proposed within the development in relation to its surroundings;

"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

(a) screening by fences, walls or other means;

(b) the planting of trees, hedges, shrubs or grass;

(c) the formation of banks, terraces or other earthworks;

(d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and

(e) the provision of other amenity features;

HEADS OF TERMS

Affordable Housing

The provision of a minimum of 15% affordable housing to be provided on site.

Education

Contribution for both primary & secondary school pupils based on the council's standard formula.

Offsite Highway Works

The Owner shall enter into a Highways Agreement prior to the Commencement of Development to contribute to the delivery of the Crathorne Interchange Works/Green lane roundabout.

Open Space

Contribution to open space/play facilities in the village

Local Labour Agreement: To use reasonable endeavours to ensure that 10% of the jobs on the development are made available to residents within the Target Areas

BACKGROUND

1. Planning permission for a residential development on the site was refused in 1989 due to being outwith the village limits, additional traffic generated and secondary school capacity. A copy of this decision is attached at Appendix 5.

SITE AND SURROUNDINGS

2. The site is located to the south west of the existing village of Kirklevington and extends to approximately 5.65 hectares. The site is predominantly gently sloping with undulating

topography in places. There is an existing hedgerow that runs through the centre of the site in a north to south direction and small overhead power cables running through the southern part of the site. There are existing trees and hedgerows on the boundaries of the site.

3. St Martins Way is located directly to the east of the site and further housing is located to the north and east, a farm to the west (on which there is a current application for 10 houses (16/3146/OUT) and agricultural land to the south.
4. To the east of the site and south of the existing housing at St Martins Way is a site which has obtained outline planning permission. A reserved matters application for the erection of 145 dwelling houses to include 22 affordable homes, village shop, car park, multi-use games area, landscaping and associated engineering works is currently under consideration (Application 17/1718/REM).

PROPOSAL

5. This outline planning application is for a proposed residential development of upto 90 dwellings with associated parking, landscaping and open space.
6. The application only seeks detailed approval for access which is proposed to be taken from St Martins Way and all other matters (scale, layout, built form and landscape) are reserved.
7. An indicative plan with a mix of house types has been submitted to demonstrate how the site could be developed, with open space, a Suds scheme and structural landscaping indicated.
8. There is potential for the footpath to link in with existing footpaths and public rights of way within the local area.
9. The application is accompanied by a Transport Assessment, Travel Plan, Flood Risk Assessment and Drainage Strategy; Geo-environmental Report, Archaeology Assessment and Geophysical Survey; Phase 1 Habitat Survey and Protected Species Survey and Arboricultural Survey.
10. A community consultation exercise was undertaken and this is detailed in the submission.

CONSULTATIONS

11. The following Consultations were notified and any comments received are set out below:-
12. Spatial Planning & Regeneration
Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires an application for planning permission to be determined in accordance with the Development Plan, unless the material considerations surrounding the proposal indicate otherwise. The development plan for Stockton on Tees Borough is made up of policies from the adopted Core Strategy (2010) and saved policies from the Local Plan (1997) and Local Plan Alteration Number One (2006).
Policies of particular relevance to this application which are considered in detail in this response are:
' Core Strategy Policy CS10: Point 3 states that 'The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of' Strategic gaps between the conurbation and the surrounding towns and villages"
' Local Plan Policy EN13: identifies the limits to development around the main urban core and the villages.

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.

13. SBC Highways Transport And Environment

Executive Summary: Subject to the comments below the Highways, Transport and Design Manager has no objections to the outline planning application, with all matters reserved except for means of access, for the construction of up to 90 dwellings.

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

The Yarm traffic modelling provides an informed response regarding the impact of this proposed development on the wider network and its impact as part of a cumulative assessment of highway impact from other planning applications that affect the same sections of highway.

The modelling results show that there would be limited practical difference in terms of traffic impact on the local road network with or without this application for the erection of up to 90 dwellings or cumulatively with other applications awaiting determination in Kirklevington would be a small proportion of both the population and the overall future development proposals within the Yarm area.

Taking the above into account the Highways, Transport and Design Manager is unable to object to the proposed development in relation to the impact on the highway network however, the results show that the proposed development is reliant upon mitigation to be provided by others at the A19/A67 Crathorne interchange and the A67 / A1044 / Green Lane Roundabout. As such a contribution towards the cost of the proposed mitigation should be sought and this should be secured by a legal agreement.

Details of the proposed site access arrangements are shown on Drawing HJB/PA3864/15a and these are considered to be acceptable.

An indicative site layout, drawing ref HJB/PA386/12, has been submitted and this is considered to be broadly acceptable. The details of the site layout will be considered fully should this application be approved and proceed to Reserved Matters.

The Outline Construction Management Plan is also acceptable in principle and this plan should be agreed prior to construction commencing on the site and this should be secured by condition.

There are no landscape and visual objections to the proposed development although some amendments to the layout will be required. These amendments may result in the loss of dwellings, based on the current indicative Masterplan. As the provision of a landscape screen buffer is necessary to bring forward the development and the impact of the buffer, in terms of shade and maintenance access could influence the layout and housing yield then its provision at an increased width to what is currently proposed should be secured by condition. However, it is considered that internal landscape matters may be resolved as part of any Reserved Matters application.

The applicant has not provided sufficient detail regarding the management of surface water runoff from the proposed development or the details of the condition of the existing culvert,

including future maintenance responsibilities, and this information should be secured by condition. Detailed comments attached at Appendix 6.

14. Highways England Company Limited

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

15. Environmental Health Unit

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

- Construction/ Demolition Noise: I am concerned about the short-term environmental impact on the surrounding dwellings during construction/demolition, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site. I would recommend working hours for all Construction/Demolition operations including delivery/removal of materials on/off site be restricted to 08:00 - 18:00Hrs on weekdays, 09.00 - 13:00Hrs on a Saturday and no Sunday or Bank Holiday working.
- Noise disturbance from adjacent rail traffic: Prior to the commencement of development, a noise survey for proposed residential properties that are in the vicinity of the railway line shall have been submitted to and approved, in writing, by the Local Planning Authority. The survey shall have been undertaken by a competent person, shall include periods for daytime as 0700-2300 hours and night-time as 2300-0700 hours, and identify appropriate noise mitigation measures. All residential units shall thereafter be assigned so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233 "good" conditions given below:
 - Dwellings indoors in daytime: 35 dB LAeq,16 hours
 - Outdoor living area in day time: 55 dB LAeq,16 hours
 - Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LAmax)
 - Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LAmax)Such detail and appropriate consequential noise mitigation measures as shall have been agreed, in writing, by the Local Planning Authority shall be implemented prior to occupation of any/specify building on the site and shall be maintained as agreed thereafter.
Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the future residents by reason of undue external noise where there is insufficient information within the submitted application.
- Dust Emissions: A scheme should be provided to control dust emissions as a result of the 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 permits.

16. The Environment Agency

I can advise that we have no comments to make with regard to this application.

17. SBC Housing Services Manager

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

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

Affordable housing provision within a target range of 15 – 20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more.

We note from the Design and Access Statement that the applicant is proposing a total of 90no dwellings consisting of: 29no x 3 bedroom houses, 48no x 4 bed houses and 13no x 5 bed houses. We note from the planning and design statement that no reference to affordable housing is made and no reference to deliver this off site.

Based on the proposed residential market site scheme of 90 units, 15 - 20% affordable housing would equate to between 14 and 18 affordable units. 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 serviced by making provision elsewhere.

The mix of affordable housing currently required to be provided is 30% intermediate and 70% rented tenures, and based on the SHMA 2012 a high priority will be accorded to the delivery of smaller houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.

A worked example based on a requirement for **15% or 14 affordable units**: -

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

Proportion	No. of units	Tenure
70%	10 units	Rent
30%	4 units	Intermediate Tenure
100%	14 units	Total

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

Size	Proportion	No. of units
2 bed	91%	13 units
3 bed	9%	1 units
Total	100%	14 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
13 Units	2 bed	9 x Rented 4 x Intermediate Tenure
1 units	3 bed	1 x Rented 0 x Intermediate Tenure

A worked example based on a requirement for **20% or 18 affordable units**:-

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

Proportion	No. of units	Tenure
70%	13 units	Rent
30%	5 units	Intermediate Tenure
100%	18 units	Total

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

Size	Proportion	No. of units
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2 bed	91%	16 units
3 bed	9%	2 units
Total	100%	18 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
16 Units	2 bed	11 x Rented 5 x Intermediate Tenure
2 units	3 bed	1 x Rented 1 x Intermediate Tenure

Space standards – the Council would expect all affordable housing units to comply with Homes and Communities Agency space/quality standards.

18. Kirklevington And Castle Leavington Parish Council

Kirklevington and Castle Leavington parish council object to this application for the following reasons:

- Kirklevington is a unsustainable village
 - the development is outside the village envelope identified in previous plans and indeed is shown outside the limits to development documented in the latest local plan
 - this proposed development sits 'side by side' with the recently approved 15/1643/OUT - land south of Kirklevington development site which has direct access to the A67. Why is an access from St Martins Way even being considered when the above access is available?
 - yet again, this is an application with all matters reserved except access.
 - access, is via St Martins Way, which was denied as a condition of the Jomast approval 15/1643/OUT - land south of Kirklevington - 145 dwellings. Site access from St Martin's Way was not to be granted for Jomast traffic, therefore we cannot accept the proposed HGV and residential traffic from this site.
 - St Martin's Way proposed access is not a used access for the land owners. The breach of the hedge and the installation of a gate has only recently happened. This is not a used or recognised access point to the proposed site
 - there is over development in the village with applications for over 260 homes approved or submitted in the last 4 months, a 50% increase in size!! The infrastructure will not cope with another 200 cars from this and other proposed developments travelling through the village to gain access to the A67
 - there is no satisfactory or safe egress heading south onto the A67 and the Crathorne interchange from these developments into an increasing flow of traffic from the already approved planning applications for 2,000 homes along the green lane and the Leven valley area
 - access A67 /Forest Lane - there is only one road into Kirklevington from the a67 and this is at the side of the crown hotel. From the south the turn into forest lane is an extremely sharp right hand manoeuver with many unsuspecting visitors to the area being caught out and finding themselves on the wrong side of the road. Vision when turning into Forest Lane is nil which results, on many occasions, with drivers being faced with parked vehicles and patrons of the crown hotel crossing the road to access the car park on the opposite side of the road and having to brake sharply with other vehicles turning in to the road behind. There is a tapering narrow footpath at the side of the crown.
- From the north it is a waiting game with no protected right turn resulting in vehicles queueing behind. Vehicles approaching from behind are only just reducing their speed and waiting vehicles looking in their rear mirror can take risks turning right as these vehicles

appear not to be slowing down and, at times, are not slowing down. Many bumps of vehicles have occurred.

- children's safety must be paramount and yet is totally disregarded in this application. With at least another 150 / 200 cars passing down St Martins Way and the green this represents significant safety issues for children and will create major problems on forest lane and pump lane with their dangerous and narrow footpaths as cumulative volumes of traffic try to exit onto the ever increasing flow of traffic on the southbound A67.

- Pump Lane footpaths - the footpath which is only on one side of the road is very narrow and is not pushchair or wheelchair friendly which results in these being wheeled along the road. There is only one footpath along this road but the village play area can be found on the opposite side of the road with children having to cross this road to access.

- primary school access -the green and St Martin's Way are used as a safe access point when accessing the local primary school. At the top of st martins way there is a school gate. Parents and children walking to school find this the safest route as, in all cases, children living on the south side of Forest Lane have to cross the road once and for those living on the north side twice to access. This is because there is no continuous footpath on the north side of forest lane.

- footpaths on Forest Lane - the only continuous footpath is on the north side of Forest Lane. This footpath is very narrow in places which results in residents having to walk on the road. The footpath is not wheelchair or pushchair friendly which results in these having to use the road. Kirklevington village hosts several users specially adapted wheelchairs that they are unable to use the footpaths along Forest Lane. Children are actively encouraged to walk and ride on their bicycles to school with grants given to the school to provide bicycle shelters and scooter stands. Children riding on the road are put at risk every day and children on scooters have to ride on the footpath, continually having to stop to allow other walkers to pass by. Walkers also find themselves either stepping on to the road to allow other walkers to pass or popping into driveways.

- 'rat run' - Forest Lane from a67. Forest lane has seen an increase in fast moving traffic, who show no regard for the speed limit and just ignor the sid, driving down forest lane at peak times as more and more cars, vans and other vehicles use the road as a cut through from the a67 in order to avoid the already heavily congested green lane. Congestion on green lane is set to increase further as more and more of the already approved dwellings are built.

- sewage - this new development will further compound the sewage and drainage problems of existing old 6 inch pipes already having to service an additional 145 houses from the Jomast site

- sewage pumping station - the Northumbrian Water sewage pumping station on Ash Grove, Kirklevington is already experiencing extreme difficulties. The site is small and will not be able to increase capacity. This pumping station already receives sewage pumped from Crathorne.

- effect on village -this development will have a detrimental effect on the village - there are no benefits!!

- planning inspectorates previous decision - a decision was made nearly 30 years ago rejecting development on this site. Since then we have seen more traffic in the village and more importantly greater volumes on the A67 which is the main arterial route from yarm and all new developments to the A19

- existing housing estate -the proposed development will exit on to an existing housing development of 127 homes.

- St Martins Way proposed development exit - the exit roads from the proposed development also host 2 blind 't' junctions on st martins way and cumulative impact on the internal road infrastructure.

- the provision of 90 dwellings with access and egress through st martin's way, the green and forest lane will significantly increase traffic flow through the village. On the basis of the proposed properties' construction, allowing for the parking of two vehicles, up to 180 cars

will pass through the cul-de-sac and along Forest Lane during key commuter times morning and night.

- condition of the approval for 15/1643/out - land south of Kirklevington was thatno access will be permitted for construction vehicles, deliveries or construction workers or staff transport via Forest Lane and St Martin's Way. The parish council were insistent on this condition because they know only too well the dangers associated with the narrow road network and blind bends that will not cope with construction traffic, which could be evident in the village for 10 years based on current build out / ability to sell new houses in our area. Perhaps if councillors and council officers had visited the village as requested then they too would be fully conversant with this major safety concern.

- suitable road network -without the development of a suitable road network to support the 90 dwellings proposed for construction in this latest application, unacceptable road safety hazards will arise as a result of creating a conflict between the increased vehicle traffic, cyclists using the highway, pedestrians using the narrow pathways throughout the village and children playing on the green. Furthermore and taking into account the present volume of vehicles which make use of road side parking, a reduction of available road width combined with the increase of vehicle traffic, will create a significant road safety risk to the children of the village, in particular during school start and finish times.

- it is incumbent upon the local authority to safeguard the residents of Kirklevington from development which has a negative impact upon the community.

It would therefore be negligent of the local authority to disregard the basic rights of the residents of the village and endanger the lives of children.

- cumulative impact on the external road network

We have already highlighted the inaccuracies and misleading comments in the transport assessment submitted by the applicant.

In addition you have also formally stated that.... It does not provide the necessary information relating to the cumulative impact of the proposed development on the local and strategic highways network..... And is not considered to be reliable at this stage.

We therefore can only agree with Mr Shovlin's comments at the planning meeting for 16/1659/out that further applications will need to be tested for impact on previously modelled junctions and cannot comment further until a new and accurate assessment is submitted.

- the current 'off peak' bus service that is shared with Hilton and Maltby parishes has only months left to run when funds will run out. This will result in residents needing to access vital services by other means. Walking to access these services is not an option.

- Kirklevington does not have a daily bus service - nor is there a bus service close to the village that can be accessed easily. In April 2014 the two bus companies that served the village withdrew their buses - one as a result of going into liquidation. It is unlikely that Kirklevington village will see the reintroduction of a bus service in the near future. Rural England chair Margaret Clark stated only recently that there study of rural transport links included "worrying findings across transport, education, social care and retail". She added "while public health services are stretched across the whole country, rural areas are suffering due to difficulties and poor transport services." residents living in Kirklevington now have no other choice but to drive to access education, social care and retail. More traffic.

- Walking along the A67 towards Yarm - this footpath is, once again, very narrow and is not pushchair or wheelchair friendly. With no continuous lighting along this road it cannot be used in the dark winter evenings as a safe route. The section with no lighting is alongside the lay-by which has a food van during the morning and lunch time and on a night parked up lorries and vans with unknown drivers. This is a safeguarding issue for all residents of all ages. This lay-by has already been the subject of investigation from the police and is regularly patrolled by SBC enforcement team due to inappropriate activities at the lay-by. Kirklevington is an unsustainable village!

Further comments : Kirklevington and Castle Leavington parish council must insist that this planning application cannot be considered or go before SBC Planning committee until such time as the updated traffic modelling, to include all data from Kirklevington, is published and that all interested Parties to include: SBC planning committee, borough councillors, Kirklevington and Castle Leavington parish council and members of the Public have had sight of the traffic modelling and given time to assess and make comments.

19. Tees Archaeology

The developer has provided a report on an archaeological evaluation of the site which demonstrates the survival of a later prehistoric settlement likely to date from the Iron Age/Romano-British period. The report recommends a programme of archaeological excavation targeted on the south-west corner of the eastern field in order to mitigate the impact of the development on the archaeological resource. I agree with this recommendation. It would be reasonable for the planning authority to ensure that the developer records any archaeological remains that will be destroyed by the development (NPPF para 141).

I recommend that the local authority attach the following condition to secure this work:

Recording of a heritage asset through a programme of archaeological works

A) No development shall commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

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

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

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

This condition is derived from a model recommended to the Planning Inspectorate by the Association of Local Government Archaeology Officers.

20. 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.

21. Northumbrian Water Limited

In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Assessment and Drainage Strategy". In this document it states that foul water will discharge into the agreed manhole 7603 and surface water will discharge to manhole 4601 at a restricted rate of 10 Litres per second if it is proven that there is no other option for the disposal of surface water.

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

Condition: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Drainage Strategy" dated "May 2016". The drainage scheme shall ensure that foul flows discharge to the sewer at manhole 7603, and ensure that surface water discharges to the sewer at manhole 4601 at a maximum restricted rate of 10 l/sec.

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

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

22. Historic England

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

23. Natural England

Natural England has no comments to make on this application.

24. Network Rail

In relation to the above application I can confirm that Network Rail has no observations to make.

25. Environmental Policy

The applicant will be required to submit an Energy Statement providing information on the energy demand of the development, associated carbon emissions, building standards and how the development will achieve our environment policies. The applicant must provide a full energy statement including full details of the fabric U-values to ensure the development minimises carbon emissions and is consistent with Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change.

26. Campaign To Protection Rural England

No comments received

27. Yarm Town Council

No comments received

28. Hambleton District Council

No comments received

29. SBC Waste Management

No comments received

30. Northern Powergrid
No comments received
31. SBC Private Sector Housing
No comments received
32. Tees Valley Wildlife Trust
No comments received
33. Councillors
No comments received

PUBLICITY

34. Neighbours were notified and letters of objection were received from the 139 addresses detailed below with the main objections summarised below. The full details of the objections can be viewed on line at the following web address <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

1. Mr Jim Wallace 15 Knowles Close Kirklevington Yarm TS15 9NL
2. Mr Alan Farrage 51 Forest Lane Kirklevington Stockton-on-Tees TS15 9NE
3. Mr George Hartley 20A Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
4. Mrs Gail Chandler 6 St Martins Way Kirklevington Yarm TS15 9NR
5. Mrs Sheila Lynam 11 Westlands Kirklevington TS15 9 NF
6. David Bell 34 The Green Kirklevington Yarm TS15 9NW
7. Janet Thompson 24 St Martin's Way Kirklevington TS15 9NR
8. Stuart Matthews 20 Ashgrove Kirklevington Stockton On Tees TS15 9NQ
9. Andrew Thompson 24 St Martins Way Kirklevington Yarm TS15 9NR
10. Mrs. K.M Alton 10 The Green Kirklevington Yarm TS15 9NW
11. Mr Mark Murray 11 St Martins Way Kirklevington Yarm TS15 9NR
12. Miss Helen Baxter 25 The Green Kirklevington Yarm TS15 9NW
13. CS And M Dowling 21 The Green Kirklevington Yarm TS15 9NW
14. Mr Colin Brown 19 The Green Kirklevington Yarm TS15 9NW
15. G N Bielby 28 St Martins Way Kirklevington Yarm TS15 9NR
16. Mr mark young 9 St Martins Way Kirklevington Yarm TS15 9NR
17. Mrs Ruth Mazonas 1 St Martins Way Kirklevington Yarm TS15 9NR
18. Mr Brian Beaumont 3 St Martins Way Kirklevington Yarm TS15 9NR
19. Miss Kate Middleton 2 Hall Moor Close Kirklevington Yarm TS15 9NN
20. Nigel Smith 6 Hall Moor Close Kirklevington Yarm TS15 9NN
21. Andrew Alton 10 The Green Kirklevington Yarm TS15 9NW
22. Mrs Julie Humphries 8 The Green Kirklevington Yarm TS15 9NW
23. Mrs Margaret Wright 6 The Green Kirklevington Yarm TS15 9NW
24. Mrs Rachael Duff 5 The Green Kirklevington Yarm TS15 9NW
25. Mr Philip Hall 4 The Green Kirklevington Yarm TS15 9NW
26. A McLee 3 The Green Kirklevington Yarm TS15 9NW
27. Mr Grant Grieve 2 The Green Kirklevington Yarm TS15 9NW
28. J Murdoch 22 St Martins Way Kirklevington Yarm TS15 9NR
29. Corinne Bell 34 The Green Kirklevington Yarm TS15 9NW
30. Mrs Jain Whelan 28 The Green Kirklevington Yarm TS15 9NW
31. Mr Martin Greenwood 14 The Green Kirklevington Yarm TS15 9NW
32. Mrs Danielle Morrissey-Smith 26 St Martins Way Kirklevington Yarm TS15 9NR
33. J H Thompson 24 St Martins Way Kirklevington Yarm TS15 9NR
34. Mr Keith Morley 20 St Martins Way Kirklevington Yarm TS15 9NR

35. Nigel De Badgecoe 18 St Martins Way Kirklevington Yarm TS15 9NR
36. Dorothy Clayton 16 St Martins Way Kirklevington Yarm TS15 9NR
37. Mr Stephen Lodge 30 The Green Kirklevington Yarm TS15 9NW
38. Mr Stephen Dearlove 5 Strathmore Drive Kirklevington Yarm TS15 9NS
39. Mrs Sandra Hartley 20A Ash Grove Kirklevington Yarm TS15 9NQ
40. Mrs Katie Hewitt 1 Moor Close Kirklevington Yarm TS15 9NP
41. Mrs Natalie Preece 1 Manor Garth Kirklevington Yarm TS15 9LG
42. Mrs Janette Anderson 4 Moor Close Kirklevington Yarm TS15 9NP
43. Mr John Wolff 14 Jasmine Fields Kirklevington Yarm TS15 9JD
44. Mrs Pamela Smailes 69 Beckwith Road Yarm TS15 9TG
45. Mr Frederick Holmes 118 The Meadowings Yarm Stockton-on-Tees TS15 9QS
46. Mr dan duggan 52 clifton rd darlington DL15DX
47. Mrs mel duggan 10 Master Road Thornaby Stockton-on-Tees TS17 0JN
48. Dr J G Parker 14 Ash Grove Kirklevington Yarm TS15 9NQ
49. Mr simon ayre 85 Forest Lane Kirklevington Yarm TS15 9NG
50. Mrs Rachael Lambert 14 Grove Bank Kirklevington Yarm TS15 9NJ
51. Jenny Smith Grove Farm Forest Lane Kirklevington Yarm TS15 9PY
52. Mrs Fiona Dunn 52 Forest Lane Kirklevington Yarm TS15 9ND
53. Mr Terence Dunn 52 Forest Lane Kirklevington Yarm TS15 9ND
54. Mr Maurice Short 5 Knowles Close Kirklevington Yarm TS15 9NL
55. C Bielby 28 St Martins Way Kirklevington Yarm TS15 9NR
56. Mr Ian Conroy 6 Westlands Kirklevington Yarm TS15 9NF
57. Christine Warters 27 St Martins Way Kirklevington Yarm TS15 9NR
58. Mrs M Welsh 4 Braeside Kirklevington Yarm Cleveland TS15 9NB
59. Mrs Helen Ferrar 39 Forest Lane Kirklevington Stockton-on-Tees TS15 9NA
60. Mrs Mary Brickles 4 Jasmine Fields Kirklevington Stockton-on-Tees TS15 9JD
61. Mr Alan Mairs 22 Hall Moor Close Kirklevington Yarm TS15 9NN
62. Mr James R Irvine 21 St Martins Way Kirklevington Stockton-on-Tees TS15 9NR
63. Mr Mark Young 9 St Martins Way Kirklevington Yarm TS15 9NR
64. Mrs Susan Tyerman 31 Hemingford Gardens Yarm Stockton-on-Tees TS15 9ST
65. Gill Allen 4 St Martins Way Kirklevington Yarm TS15 9NR
66. Mrs Jennie Beaumont 3 St Martins Way Kirklevington Stockton-on-Tees TS15 9NR
67. Mr Cheesebrough 94 Forest Lane Kirklevington Yarm TS15 9ND
68. Carol A McLee 3, The Green Kirklevington TS15 9NW
69. Mr James Warters 78 Forest Lane Kirklevington Yarm TS15 9ND
70. Mr John Davison 2 Braeside Kirklevington Stockton-on-Tees TS15 9NB
71. Ms Lee O'Sullivan 40 Forest Lane Kirklevington Stockton-on-Tees TS15 9NA
72. Mr R Snaith 65 Forest Lane Kirklevington Yarm TS15 9NE
73. Mr GARY MARTIN 40 Forest Lane Kirklevington Stockton-on-Tees TS15 9NA
74. Chris Bielby 84 Forest Lane, Kirklevington Yarm Stockton -on -Tees TS15 9ND
75. Mrs Lynda Ayre 85 Forest Lane, Kirlevington TS15 9NG
76. Mrs D Dalby 2 Kirklevington Hall Drive Kirklevington Yarm TS15 9LH
77. Mrs Kathleen Page 42 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
78. Mr Jamie Hunter 1 Strathmore Drive Kirklevington Yarm TS15 9NS
79. Mrs Susan Morley 20 St Martins Way Kirklevington Yarm TS15 9NR
80. Mrs Deborah Young 9 St Martins Way Kirklevington Yarm TS15 9NR
81. Miss Rebecca Grainger 17 Levington Mews Thirsk Road Kirklevington TS15 9WF
82. Alan Farrage 51 Forest Lane Kirklevington Yarm TS15 9NE
83. Mr And Mrs Shaw 7 Knowles Close Kirklevington Yarm TS15 9NL
84. Mr Nigel Ellenor 13 Strathmore Drive Kirklevington Yarm TS15 9NS
85. Mrs Jane Dearlove 5 Strathmore Drive Kirklevington Yarm TS15 9NS
86. Mr Eric Heaviside 37 Ash Grove Kirklevington Yarm TS15 9NQ
87. Mr Andrew Cheesebrough 94 Forest Lane Kirklevington Yarm TS15 9ND
88. Mr Neil Thompson 45 Ash Grove Kirklevington Yarm TS15 9NQ
89. Ruth And Alan Sheekey 3 Ash Grove Kirklevington Yarm TS15 9NQ

90. Mrs Kathryn Hall 4 The Green Kirklevington Yarm TS15 9NW
91. Mrs Margaret Firth 25 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
92. Mrs Samantha White 36 Forest Lane Kirklevington Yarm TS15 9LY
93. S Taylor 23 Ash Grove Kirklevington Stockton On Tees
94. N J Taylor 23 Ash Grove Kirklevington Stockton On Tees
95. Mrs P Snaith 65 Forest Lane Kirklevington Yarm TS15 9NE
96. Mrs Danielle Tyerman 2 St Martins Way Kirklevington Yarm TS15 9NR
97. Mr David Brickles 4 Jasmine Fields Kirklevington Stockton-on-Tees TS15 9JD
98. Mr George Warters 27 St Martins Way Kirklevington Stockton-on-Tees TS15 9NR
99. Mr Anthony Mace 18 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
100. Mr Peter Whelan 28 The Green Kirklevington Yarm TS15 9NW
101. Mr Jeremy Preece 10 Manor Garth Kirklevington Yarm TS15 9LG
102. Antony Clayton 16 St Martins Way Kirklevington Yarm TS15 9NR
103. Antonie Mazonas 1 St Martins Way Kirklevington Yarm TS15 9NR
104. Dave Haworth 11 Birch Close Kirklevington Yarm TS15 9NH
105. Dawn Smith 6 Hall Moor Close Kirklevington Yarm TS15 9NN
106. Mrs Helen Marshall 12 Ash Grove Kirklevington Yarm TS15 9NQ
107. Eric Heaviside 37 Ash Grove Kirklevington Yarm TS15 9NQ
108. Mark Stokeld 38 Ash Grove Kirklevington Yarm TS15 9NQ
109. Mrs Liz Blanchard 5 Manor Garth Kirklevington Yarm TS15 9LG
110. Mr John Matchett 10 Grove Bank Kirklevington Yarm TS15 9NJ
111. Mr Phillip Hetherington 6 Braeside Kirklevington Yarm TS15 9NB
112. Mrs Rosalie Butler 10 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
113. Mrs Claire Binns Roseberry House Thirsk Road Kirklevington Yarm TS15 9LT
114. Mr Philip Smith 25 The Green Kirklevington Yarm TS15 9NW
115. Mr David Butler 10 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
116. Mrs Carol Thersby 1 Knowles Close Kirklevington Yarm TS15 9NL
117. Mr Andrew Anderson 4 Moor Close Kirklevington Yarm TS15 9NP
118. Mrs Shelagh Williams 5 Hall Moor Close Kirklevington Yarm TS15 9NN
119. Mr C Phillip 12 Moor Close Kirklevington Yarm TS15 9NP
120. Mrs A Ling 8 Westlands Kirklevington Yarm TS15 9NF
121. Linda Peace 8 St Martins Way Kirklevington Yarm TS15 9NR
122. Mr Alan Lambert 14 Grove Bank Kirklevington Yarm TS15 9NJ
123. Mr Michael Tyerman 2 St Martins Way Kirklevington Yarm TS15 9NR
124. J D Robson 9 Westlands Kirklevington Yarm TS15 9NF
125. Mrs Barbara Kelley 7 Moor Close Kirklevington Yarm TS15 9NP
126. Mr. Peter Hewitt 1 Moor Close Kirklevington Yarm TS15 9NP
127. Mr Jim Wallace 15 Knowles Close Kirklevington Yarm TS15 9NL
128. Sally Pearson 12 St Martins Way Kirklevington Yarm TS15 9NR
129. Mr Steven Chandler 6 St Martins Way Kirklevington Yarm TS15 9NR
130. Miss susan hunter 16 Hall Moor Close Kirklevington Yarm TS15 9NN
131. Mr Peter Lowe MBE 9 Hall Moor Close Kirklevington Yarm TS15 9NN
132. Mr William O'Connell 10 Westlands Kirklevington Yarm TS15 9NF
133. Mr I S Conroy 6 Westlands Kirklevington Yarm TS15 9NF
134. Mr R.McBain 3 Moor Close Kirklevington Yarm TS15 9NP
135. Mrs Pauline Bland 17 Knowles Close Kirklevington Yarm TS15 9NL
136. Mr And Mrs Hodgson 4 Knowles Close Kirklevington Yarm TS15 9NL
137. Mrs P Mairs 22 Hall Moor Close Kirklevington Yarm TS15 9NN
138. Maureen Scott 5 Moor Close Kirklevington Yarm TS15 9NP
139. David Allen 4 St Martins Way Kirklevington Yarm TS15 9NR
140. Mr and Mrs Wilkinson; 7 Hall Moor Close, Kirklevington
141. Mrs J Cheesebrough 94 Forest Lane Kirklevington
142. Ian Hindmarch, 70 forest lane, Kirklevington

35. The main objections to the application are:

- Outside the village limits
- The village cannot support over development like the one contained within this proposal.
- Overburdening of the infrastructure of the village.
- Additional traffic that would be generated during the construction/development phase poses a substantial threat to the residents of the village
- Pathways in the village are not suitable
- Access from the site, through St Martin's Way and The Green is unsuitable for these planned houses.
- The character of the village is under serious threat, leading to yet another sprawl of housing in the south of the borough.
- need for yet more housing is unproven.
- The proposed development, which is outside the village envelope, would increase the number of homes in the village by over 20%. Since these houses would represent more than 340 bedrooms there is potential to increase the number of residents in Kirklevington by more than 30%.
- if any need exists locally, is for affordable starter homes.
- The village cannot be considered sustainable
- There are serious road safety concerns regarding this proposal due to narrow roads with blind corners and no continuous pavement, and in places pavements only wide enough for pedestrians to pass in single file.
- The sewage system is already over capacity and presenting problems as evidenced by the number of large sludge tankers that regularly and frequently have to attend the sewage works, and the number of reports to Northumberland Water regarding the stench that is often outside the village hall, it is clearly already over capacity and under great stress.
- A further major concern is for that of Secondary age children attending Conyers school, the expectation being that they should either walk/cycle along the A 67 which is a very badly lit, lonely, busy dangerous major road that doesn't have a pedestrian crossing to an extremely busy roundabout that they have to cross to enter the school, resulting in much greater volume of traffic as parents drive and pick up their children from the school.
- Access to the A67 from the Forest Lane is extremely hazardous
- Appeal decision remains valid from 30 years ago- Safe access to and from A19 trunk road will be compromised by the additional housing resulting from this proposal using Forest Lane. The Planning Inspectorate report in 1989 dismissed the Tarmac appeal under planning application for 70 houses for amongst other reasons, 'it would be likely to prejudice road safety both on Forest Lane and at its junction with the A67, and for this reason also I find the proposal unacceptable'. As the only change since this appeal was dismissed has been addition housing and more traffic it is hard to see why the Banks proposal should not be rejected at the outset.
- Area of land is "green field" fringe development.
- Application is "developer led" and not "professional planner" led.
- Impact on the wild life corridor and other environmental issues.
- We were assured that once major repairs were carried out to the rotating biological contactors, all would be well and there would only be need for one or two 24 tonne tanker loads of sludge to be removed each week. Since then, five tankers come and go on a good week and there is significant other NWL and contractor HGV traffic most weeks, not to mention huge cranes from time to time. Current problems include subsidence caused by the massive 'temporary' filtration units with associated temporary pumps and generator. This may have caused damage to the adjacent rotating biological contactor, which is awaiting inspection by a specialist consultant.
- - Condition of the approval for 15/1643/out - land south of Kirklevington was thatno access will be permitted for Construction vehicles, deliveries or construction workers or staff transport via Forest Lane and St Martins Way. The Parish Council were insistent on this condition because they know only too well the dangers associated with the narrow road

network and blind bends that will not cope with construction traffic, which could be evident in the village for 10 years based on current build out / ability to sell new houses in our area. Perhaps if councillors and council officers had visited the village as requested then they too would be fully conversant with this major safety concern.

- - walking along the A67 towards yarm - This footpath is, once again, very narrow and is not pushchair or wheelchair friendly. With no continuous lighting along this road it cannot be used in the dark winter evenings as a safe route. The section with no lighting is alongside the lay-by which has a food van during the morning and lunch time and on a night parked up lorries and vans with unknown drivers. This is a safeguarding issue for all residents of all ages. This lay-by has already been the subject of investigation from the police and is regularly patrolled by SBC Enforcement Team due to inappropriate activities at the lay-by.
- It is not enough for our elected planners and the committee to wheel out the tired mantra of the unfulfilled 5 year housing need. There is an adequate supply already. It is the developers' failure to build at the necessary rate. What we have is land banking. It is that simple and needs to be addressed by Stockton.
- Lack of amenities - the local infrastructure will not be able to cope with more people in this area - schools, doctors, dentists will be stretched beyond their capabilities.
- The whole area is grinding to a halt through overdevelopment and still nothing has been done to improve the roads or road safety in the area.
- Beautiful landscape and wildlife being damaged. Use brownfield sites not greenfield.
- The field to south of the housing rises significantly, is continuously wet and as a result has caused a number of flash floods. Previous proposals have all been rejected with respect to this.
- The proposed housing will include those houses located on the sloping area of the land and also a pump house located at the bottom west area of the field. Failure of the pumps and/or the electrical supply could cause dramatic foul and surface water flooding. In addition odour from this pump house is likely to affect myself and others having asthma conditions.
- Overdevelopment. If this development is agreed, it will add to the numbers already agreed with the Jomast application, increasing the village by 50 %. The cumulative effect of all the planning applications south of Yarm will affect the area dramatically with the increase in traffic. Access to the local services in Yarm will be restricted mainly due to the traffic congestion. Businesses are already expressing concern due to traffic /parking problems. The lack of traffic figures for the additional traffic on the Green Lane/Crossroads roundabout which according to the Banks application were not undertaken for the Jomast application is of concern. These figures need incorporating into any modelling, together with the independent assessment of the junction of Forest Lane/A67. The development of the south of the Yarm must now be seen as over development and a full assessment needs to be undertaken.
- The whole rationale for this application is the new "bus service" which is part of the Jomast application, this apparently makes our Village sustainable? The section 106 has not yet been signed, without it where is the guarantee that it will happen and the whole sustainability issue rests on this. The timescale that Jomast put forward was that the bus would be provided when 50/60 houses were completed. If this application is agreed that timescale needs changing. The village could have the 60 houses from Jomast plus this 90 without the bus service. That is NOT sustainable.
- Loss of good agricultural land; we should not be destroying this when there are plenty of brown field's sites within the borough. Until these are fully developed no agricultural land should be used for development.
- Increase in traffic noise and pollution
- No connecting cycle paths to Yarm have been suggested or offers made to provide one by any of the developers, and the A67 is not suitable for cyclists and the existing pavement along the A67 is very narrow in places and only exists on one side of the road
- Noise and invasion of privacy. Our house enjoys significant benefits of privacy which is why we moved to the village. We are at risk of being completely over looked having bought a

property which has nobody at the back or side but we risk losing all this and our privacy as well as our sunlight. The indicative plan appears to show 4 houses along our boundary with small gardens so we would be completely overlooked. As the gateway to the development we would also suffer considerable noise and disruption.

- Dangerous traffic proposal and child safety - potential gross negligence and corporate manslaughter Additional traffic problems for Yarm A surface usage drainage pond fills me with fear. I would not be able to relax should my children be out playing for fear they fall in and drown.
- I also fail to understand how Northumbrian Water could state in their initial assessment of the Jomast development in 2014 that the that "the sewage treatment works to which this development will discharge was at full capacity and could not accept any further flows until upgrade works were undertaken" only to revise their view subsequently that there was sufficient capacity. I can only assume that this was a result of the decrease in housing numbers from the original 180 to 145

PLANNING POLICY

36. 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

37. 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.

38 Local Planning Policy

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

Core Strategy Policy 1 (CS1) - The Spatial Strategy

1. The regeneration of Stockton will support the development of the Tees Valley City Region, as set out in Policies 6 and 10 of the Regional Spatial Strategy 4, acting as a focus for jobs, services and facilities to serve the wider area, and providing city-scale facilities consistent with its role as part of the Teesside conurbation. In general, new development will be located within the conurbation, to assist with reducing the need to travel.
2. Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.
3. The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and

Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.

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

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

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

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.
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.
5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.
6. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.
8. Additionally, in designing new development, proposals will:
 - _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
 - _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
 - _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
 - _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.
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 7 (CS7) - Housing Distribution and Phasing

1. The distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with:

- i) Achieving the Regional Spatial Strategy requirement to 2024 of 11,140;
- ii) The maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing;
- iii) The priority accorded to the Core Area;
- iv) Seeking to achieve the target of 75% of dwelling completions on previously developed land.

2. No additional housing sites will be allocated before 2016 as the Regional Spatial Strategy allocation has been met through existing housing permissions. This will be kept under review in accordance with the principles of 'plan, monitor and manage'. Planning applications that come forward for unallocated sites will be assessed in relation to the spatial strategy.

3. Areas where land will be allocated for housing in the period 2016 to 2021:

Housing Sub Area Approximate number of dwellings (net)

Core Area 500 - 700

Stockton 300 - 400

Billingham 50 - 100

Yarm, Eaglescliffe and Preston 50 - 100

4. Areas where land will be allocated for housing in the period 2021 to 2024:

Housing Sub Area Approximate number of dwellings (net)

Core Area 450 - 550

Stockton 100 - 200

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

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

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

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

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

_ Proposals for 2 and 3-bedroomed bungalows will be supported throughout the Borough;

_ Executive housing will be supported as part of housing schemes offering a range of housing types, particularly in Eaglescliffe;

_ In the Core Area, the focus will be on town houses and other high density properties.

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

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

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

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

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

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

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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

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

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

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

Core Strategy Policy 11 (CS11) - Planning Obligations

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

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

_ highways and transport infrastructure;

_ affordable housing;

_ open space, sport and recreation facilities, with particular emphasis on the needs of young people.

Saved Policy EN13 of the adopted Stockton on Tees Local Plan

Development outside the limits to development may be permitted where:

(i) It is necessary for a farming or forestry operation; or

(ii) It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or

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

(iii) It contributes to the diversification of the rural economy; or

(iv) It is for sport or recreation; or

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

MATERIAL PLANNING CONSIDERATIONS

39 The main considerations of this application relate to the principle of development, sustainability of the site, landscape and visual impact, indicative layout and design, impact on neighbouring properties, highway related provisions as well as the impacts on drainage and ecology. These and other material planning considerations are considered as follows;

Principle of Development

- 40 The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and in particular those for achieving sustainable development. The three dimensions of sustainable development are economic, social and environmental. The NPPF also includes a number of core planning principles one of which is the need to identify and meet housing needs as well as respond positively to wider opportunities for growth.
- 41 Paragraph 47 of the NPPF details the importance the Government attaches to boosting significantly the supply of housing. Paragraph 49 goes further by stating that when a five year land supply cannot be demonstrated the relevant policies for housing should not be considered up-to-date. Paragraph 215 also states that weight should be given to those policies in existing development plans according to their degree of consistency with the NPPF (i.e. the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 42 In terms of local planning policies there are no specific designations which apply to this site other than the site lies outside the limits to development, consequently the site forms part of the open countryside. Saved Policy EN13 seeks to strictly control development within the countryside beyond these limits and restricted to limited activities necessary for the continuation of farming and forestry contribute to rural diversification or cater for tourism, sport or recreation provided it does not harm the appearance of the countryside. However, just because the site is outside the 'limits of development', the proposed development should not be ruled out purely on the grounds of falling outside the settlement boundary and there are other factors to be weighed in the overall balance which are considered in more detail below.

The supply of deliverable housing land

- 43 When considering housing applications a significant material consideration would be the requirement for the local planning authority to demonstrate a five year supply of deliverable housing sites. The Council has a deliverable housing supply of 4.50 with a 20% buffer which falls short of the required five years. Therefore, in accordance with paragraph 49 of the NPPF, policies in the development plan that deal with housing supply are considered out of date and proposals should be considered in the context of the presumption in favour of sustainable development.

Sustainability

- 44 One of the core land-use planning principles, in the National Planning Policy Framework is "*the need for planning to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable*". Objections have been received from residents commenting that the site is generally unsustainable and this development will put pressure on the limited services they do have.
- 45 Whilst there are currently a limited amount of services within the village which include a school, community centre; children's play area, public house, church and car repair garage, there is no daily regular bus service. However following the approval of the adjacent site, provisions have been made to expand services within the village which will make the village sufficiently sustainable to align with national policy. In addition, the adjacent site will provide a large area of open space; a small scale shop, and a multi-use games area for children. The combination of these services as well the other services within the village have been considered and the opinion is that Kirklevington would be sufficiently sustainable to support new residential development.

- 46 Comments have been raised regarding the timing for the delivery of the bus service however, the heads of terms on application 16/3025/OUT requires the bus service to be agreed prior to occupation of any dwelling and delivered prior to the occupation of the 60th dwelling. These heads of terms cannot be amended through this application and this was considered a reasonable time scale for delivery.
- 47 A number of objectors have highlighted the walking route to services at Yarm as being undesirable partly due to it being unlit, traffic speeds and an excessive distance with limited cycling opportunity. Whilst existing situations cannot be mitigated by the development, the comments have been noted and the local authority has made a commitment to Ward Councillors to investigate any potential improvements that can be made. It should however be noted that this issue was highlighted when considering a previous application at Kirklevington (15/1643/OUT), which was subsequently approved, and a detailed response was provided by the Highways Transport and Design Manager, setting out the issues associated with making improvements to this route.
- 48 Concerns have been raised regarding the impact of the scheme on local infrastructure, notably schools, doctors and dentists. However, notwithstanding the lack of objection from these bodies, or substantive evidence to suggest that their capacity is limited, as reported in the Inspectors Appeal Decision for Little Maltby Farm “*any new housing development proposed within this area of the Borough, whether at the appeal site or not, would have a similar impact*”. No evidence has been put forward to state the services cannot cope with the development, and therefore it is considered that this in itself would not warrant refusal of the application.
- 49 Economic/Social Benefits
- 50 It is recognised that a key benefit of the proposed development would be that it contributes towards addressing the shortfall in the boroughs 5 year housing land supply, as well providing affordable housing units. These have both social and economic benefits as set out within the three elements of the definition of sustainable development. Furthermore, the development would provide a number of jobs in the construction industry and supply chain in the short term and such benefits are consistent with the NPPF and in particular paragraph 17, which encourages Local Authorities to ‘drive and support’ economic development.
- 51 The disadvantage would be the loss of this private open area and this matter is considered in more detail in the remainder of the report.
- 52 Landscape and visual impact.
- 53 Kirklevington is a small linear village set within an agricultural landscape of fields surrounded by field fences and intermittent hedgerows with an occasional mature hedgerow tree. A number of farms are located across the landscape, but largely hidden from viewpoints on the southern edge of the village. The topography around the southern side of the village is generally flat. There are few visible urban interventions in the landscape, with the exception of a line of pylons, which run south of the site. The Stockton Borough Council Landscape Character Assessment lists this proposed development site as ‘Urban Fringe Farmland’, and has a medium level of landscape sensitivity, and medium landscape capacity.
- 54 The application site has existing housing to the north and east, farm buildings to the west and agricultural fields to the south. The adjacent site to the east has outline planning permission for housing and there is a reserved matters application currently under consideration. The site is predominantly gently sloping with undulating topography. There

is an existing hedgerow running through the centre of the site and existing vegetation on site boundaries other than that it is an open agricultural field.

- 55 Whist no landscape and visual impact assessment has been submitted with the outline application and it is considered that a landscape and visual study should be undertaken to inform the final site layout and proposals. The application has been assessed by the Highways Transport and Design Team who generally raise no objections from a landscape perspective. Various viewpoints have been considered and the development would be visible especially during establishment of the planting the development and the view from the village would change from a rural to urban landscape
- 56 The indicative site layout shows structural buffer planning to the boundaries of the site and internal landscaping which would all need to form part of considerations at reserved matters stage, however It is essential that the proposed southern landscape buffer is increased to a minimum of 10m in width, which may reduce the number of properties that can be constructed on the site. It is considered that the proposed landscape buffer would heavily filter any views of the development at maturity bringing the edge of the settlement further south. However until the planting reaches a substantial height, the development would be clearly visible.
- 57 Overall it is considered that the proposed scheme would viewed as a extension to the southern side of the village continuing from the already approved development to the east and similarly to the existing approved scheme the landscaping belt would serve to create a buffer between the extended village and the open countryside which is considered would prevent the site appearing like unplanned sprawl of building into the open countryside and therefore there are no landscape/visual objections to the proposed scheme.

Indicative layout and design.

- 58 The application seeks permission for upto 90 dwellings on the site and the indicative masterplan submitted as part of this outline planning application shows a development with significant amounts of new open space and private gardens with the central area of open space around the central hedgerow providing a focal point to the development. The scheme shows a mixture of semi-detached and detached dwellings mixed between 3-5 bedroom houses.
- 59 There is a small area of public open space (POS) to the north of the site entrance, with a larger area surrounding the proposed SuDs pond at the south west corner of the site. The indicative layout incorporates tree planting to the site perimeter and incidental tree planting throughout the development. The existing hedgerow boundaries are retained within this layout, including the central hedgerow which is punctuated to allow vehicular circulation. The retention and enhancement of these hedgerows is highly desirable to minimise the impact on the surrounding properties and other receptors locally, as well as retaining some green infrastructure links to the surrounding landscape. A condition has therefore been recommended to ensure the retention of all trees/hedgerows until the reserved matters application is submitted should the application be approved.
- 60 This landscaped buffer due to its location south and west of the proposed dwellings would create shading which could have an adverse impact on the amenity of the future residents. A shade parameter plan would be required as part of any reserved matters application to inform the final layout so as to ensure that the amenity of the properties and gardens of existing and proposed homes would not be adversely affected by shading from the proposed planting which has been conditioned.

- 61 The indicative layout proposes a reasonable amount of Public Open Space however it is fragmented and does not appear to serve any function for passive or active recreation, this needs and can be given further consideration at reserved matters stage. In the event that application 15/1643/OUT does not come forward or other improvements are required in the existing play it is desirable to secure funding for improvements to the existing play provision. However, should other housing applications in Kirklevington currently awaiting determination be granted planning consent approved then the level of contribution would be made pro-rata to the development impact.
- 62 As shown on the indicative layout, sustainable urban drainage (SuDS) should be incorporated into the design and provide amenity benefit as well as flood storage. If a pond is to be created, safety of the pond needs to be taken in to consideration at reserved matters stage.
- 63 Core strategy Policy 8 (CS8) Housing Mix and Affordable Housing Provision states affordable housing provision within a target range of 15 - 20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. which the applicant has advised would be met. The Head of Housing has discussed and agreed in principle the nature of affordable housing should the application be approved. In order to achieve suitable provision of affordable housing the requirement would be placed within the Section 106 Agreement.

Impact on neighbouring properties.

- 64 The application includes an indicative master plan, albeit this is purely to demonstrate that a development for upto 90 dwellings can be achieved on site. Objections have been raised over impacts on privacy and amenity for existing residents.
- 65 The proposal demonstrates that the required separation distances can be achieved between existing and proposed properties which would prevent undue impacts on privacy and amenity for existing residents and it is considered that a form of residential development could be accommodated on the site although the detailed layout and design would require approval via reserved matters application/s were this outline application to be granted.
- 66 The councils Environmental Health Manager has requested a condition be imposed to limit the construction working hours to the site and a condition has been recommended accordingly. Impacts from Construction Traffic is considered later in the report
- 67 The indicative plan shows landscape buffers and spacing from the rear of existing properties and landscape buffering from the more open agricultural land to the south and west which would assist in breaking up views of and partially screen the development from the wider area.

Highway related provisions

- 68 A transport assessment framework travel plan and draft construction management plan accompanies the application.
- 69 The application is in outline with all matters reserved other than access which is to be taken from St Martins Way. It should be noted when determining this application that the Local Planning Authority cannot require the development to mitigate existing problems, only mitigate its own impact. The Highways Transport and Design Manager has considered the proposed scheme and noted the concerns of objectors however does not considered that there are any highway safety issues which would warrant refusal of the proposed scheme.

- 70 Concerns have been raised over highways safety in general terms as well as specifically in relation to the proposed access and the resultant additional traffic onto the network in this part of the Borough and the impacts of additional traffic in Kirklevington.
- 71 The impact of the proposed application on the highway network has been assessed by the applicant, within the Transport Assessment (TA) submitted in support of the proposed development, and also using the Council's Yarm Traffic Model. The Yarm traffic modelling provides an informed response regarding the impact of this proposed development on the wider network and its impact as part of a cumulative assessment of highway impact from other planning applications that affect the same sections of highway.
- 72 In order to validate the traffic modelling work undertaken by the developer, in support of the proposed application, the Council have carried out a series of further sensitivity tests to ensure the results being report are robust.which have included journey time assessments with additional traffic growth to take account of the continued economic growth within the area; and assessments of the A67 / Forest Lane junction and the Crathorne Interchange with all traffic from the proposed development routing via the A19.
- 73 Local capacity assessments have been undertaken at Forest Lane / A67 junction ; A67 / Green Lane Roundabout; and A67 Crathorne Interchange, which has shown that with the agreed mitigation in place, all junctions would operate within capacity.
- 74 The modelling results (with mitigation place) show that there would be limited practical difference in terms of traffic impact on the local road network with or without this application for the erection of up to 90 dwellings or cumulatively with other applications awaiting determination in Kirklevington. This is because the development would be a small proportion of both the population and the overall future development proposals within the Yarm area and within this, it is reasonable to predict that 'peak spreading' would occur as users stagger journey times to avoid traffic congestion.
- 75 It is accepted that the highways network within the vicinity of Yarm, would suffer some congestion, however, it cannot be demonstrated, within the context of NPPF, that the residual cumulative impact of the proposed development on the highways network would be severe. The Highways, Transport and Design Manager has therefore confirmed that he is unable to object to the proposed development in relation the impact on the highway network however, the results show that the proposed development is reliant upon mitigation at the A19/A67 Crathorne interchange and the A67 / A1044 / Green Lane Roundabout. As such a contribution towards the cost of the proposed mitigation should be sought and secured by a legal agreement which forms part of the heads of terms.
- 76 Details of the proposed site access arrangements have been submitted showing access from St Martins Way which show the existing turning head removed and areas reinstated to verge, the footways would also re-aligned to provide a direct connection to the proposed development. The proposal access is considered to be acceptable.
- 77 Concerns have been raised over construction traffic, and whilst usually dealt with by condition a draft construction management plan has been submitted by the applicant for consideration. The Highways Transport and Design Manager has considered the proposed plan and raised no objections however a condition has been recommended to ensure the final plan is agreed prior to commencement of development should the application be approved.

Impacts on drainage

- 78 A number of objections have been raised regarding drainage; capacity and potential flooding. There is also concerns that the sewage treatment works cannot cope with the additional demand
- 79 Northumbrian Water have raised no objections providing the development shall be implemented in line submitted "Flood Risk Assessment and Drainage Strategy" which confirms the ability of our network to accept flows if sewer connection is the only option. In terms of the Sewage Treatment works, Northumbrian Water have advised previously that the works have been recently upgraded and that it will be able to take anticipated flows. It has also been indicated that if any problems arise with the existing pipework that this will be their responsibility. In view of these matters, it is considered that suitable foul water drainage can be achieved.
- 80 In relation to the surface water the information, prior to commencement of development he applicant will need to provide the Local Planning Authority with a full condition assessment report of the culvert, identifying the exact point of discharge into Picton Stell, and a condition assessment of the receiving watercourse. Whilst the applicant has not provided sufficient detail regarding the management of surface water runoff from the proposed development this information can be secured by condition along with confirmation of who will be responsible for the long term maintenance of the private culvert.

Impact on Ecology

- 81 Within the application site there are trees, hedgerows and other landscape features. A number of objections have been received relating to the impacts on ecology and wildlife and the loss of habitat and wildlife corridors. An extended phase 1 ecology report and protected species and hedgerow report accompanies the application.
- 82 The surveys recommend retaining hedgerows and landscape features where possible and using native planting within the scheme. This would in part make provision for the habitat / foraging that would be lost. Some of the foraging for wildlife mentioned would in part be offset to the wider areas although the provision of native species within the site will allow this development to provide some habitat.
- 83 The survey recognised bat foraging takes place within the site and there is a possibility for breeding birds on site, mainly associated with the hedgerows. It is considered particularly important to protect wildlife through ensuring features such as hedgerows and trees are not removed (which has been conditioned) and the proposed recommendations/mitigation as detailed in the reports are implemented to prevent an adverse impact on ecology. A condition has been recommended to this effect.
- 84 In terms of badgers, a full checking survey was undertaken and no activity or evidence was discovered however prior to commencement of works further checks will be undertaken in accordance with best practice as recommended in the ecology reports.
- 85 These recommendations are considered to reflect a suitable approach to preventing undue impacts on protected species and subject to re-provision of habitat, creation of biodiversity opportunity and wildlife corridors, is considered would prevent any significant or undue loss. Conditions are recommended to address these matters.

Contaminated Land

- 86 The application has been supported by a preliminary risk assessment which has been assessed by the Councils Contaminated Land Officer.

- 87 No objections have been raised subject to the imposition of a condition to adequately deal with any Unexpected Land Contamination which has been recommended.

Archaeology

- 88 An archaeological desk-based assessment and geophysical survey accompanies the application
- 89 Tees Archaeology have confirmed that the requirements of the NPPF with regard to archaeology have so far been met by the developer and raised no objections subject to a condition requiring a suitable programme of recording works which has been conditioned.

Planning Obligations

- 90 Housing proposals need to be considered against Core Strategy Development Plan Policy CS11 in respect to planning obligations towards highways infrastructure, (as already detailed in the highways section of this report) and in respect to the provision of open space, recreation and landscaping. In view of the sites position, it is considered any provision needs to be either on site or within the village to best serve the demands of the scheme. The indicative layout details open space, and is considered can adequately provide this on site and will be considered at reserved matters stage although a contribution may be required towards open space/play facilities in the village.
- 91 In accordance with Core Strategy Development Plan Policy CS11, contributions towards education can be required from development in order to offset the demands placed on the surrounding educational provisions. The Councils education contribution is calculated at the time of the development commences and whether a payment is required is based on the capacity within schools at that time.
- 92 The applicant has agreed to use local labour and the details of the affordable housing requirement has been detailed earlier in the report.

Other Matters

- 93 Comments have been made regarding the earlier appeal decision (1664/88), the contents of which have been noted. Since this decision, planning policy has significantly changed with the introduction of the National Planning Policy Framework and unless significant harm can be demonstrated it would be unreasonable to refuse the application based on an appeal decision which was made nearly 30 years earlier.
- 94 In accordance with the requirements of Core Strategy Policy CS3(1) major residential development such as this would need to be built to Level 4 of the Code for sustainable homes and would also require renewables to be provided on site to ensure 10% of total predicted energy requirements would be provided on site. Code Construction is now getting phased out from the planning system and no such requirement is considered necessary in this regard although a condition is recommended relating to provision of renewables or equivalent.
- 95 Northern Gas Networks have raised no objections to the scheme although advised that there may be gas apparatus in the area and recommended the developer get in touch with them. Attaching an informative to the decision is recommended which will advise the developer to make suitable contact.
- 96 Objector's state there is not a need for the development in the area and many houses are up for sale in the area. A simple internet search has shown 7 houses for sale of various

which is not considered to be excessive for a village of this size and there may be many reasons why these houses are for sale and this would not be a reason to refuse the application.

CONCLUSION

- 97 The development is an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicate otherwise having regard to the development plan. However the guidance in the National Planning Policy Framework makes clear that the Local Planning Authority's existing housing delivery policies cannot be considered as up to date as it cannot demonstrate a five year supply of deliverable housing sites. Also housing applications are to be considered in the context of the presumption in favour of sustainable development. It is considered that there are important material benefits arising from the proposed development and there are not any adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole.
- 98 Other material considerations have been considered in detail and the development as proposed is considered to be acceptable in terms of visual impact and highway safety, it does not adversely impact on neighbouring properties, archaeology or the ecological habitat and flooding
- 99 It is considered that in the planning balance, although this proposal is out-with the limits for development, there are no designations on site or circumstances which would outweigh the matters of the need for a deliverable 5 year supply of housing.
- 100 For the reasons stated above and detailed in the report it is recommended that the application be Approved with Conditions and subject to the completion of a Section 106 Agreement as detailed within the Heads of Terms.

Director of Economic Growth and Development Services
Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062

WARD AND WARD COUNCILLORS

Ward	Yarm
Ward Councillor(s)	Councillor Tony Hampton
Ward Councillor(s)	Councillor Elsi Hampton
Ward Councillor(s)	Councillor Julia Whitehill

IMPLICATIONS

Financial Implications:

There are no known financial implications in determining this application beyond those detailed in the Heads of Terms.

Legal Implications:

There are no known legal implications in determining this application.

Environmental Implications:

The assessment of the application has taken into account the impacts on drainage wildlife and ecology, the general character and appearance of the area as well as impacts on adjoining properties and the adjacent landscaping. It is considered that there would be no undue impacts on these receptors. Detailed considerations are listed within 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 which has included an assessment of people's representations and a weighting up of the points raised. It is considered that no existing residents would be severely affected by the proposed development sufficient to warrant refusal of the application.

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. Within this report consideration has been given to implications of increased traffic movements and the need contributions to improvements. There are no other notable impacts on community safety recognised within the assessment of the proposed development

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 1– Sustainable Design Guide

Supplementary Planning Document 2 : Open Space, Recreation and Landscaping

Supplementary Planning Document 3: Parking Provision for New Developments

Supplementary Planning Document 6: Planning Obligations

Application File and Relevant Planning History as referred to in the report.