

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

16 August 2017

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

17/0793/OUT

Land Off Springfield Grove, Kirklevington,

Outline application with some matters reserved residential development comprising of 3no dwellings.

Expiry Date

SUMMARY

The application site is situated to the north of Kirklevington village with access coming from Springfield Grove to the south where several bungalows are also situated. The existing stables lies to the immediate west of the site while the A67 lies to the east. Immediately to the north of the site lies an open field with a group of trees further to the north.

Outline planning consent is sought for the provision of 3no dwellings with all matters except for the principle of development and the means of access being reserved for future consideration. Indicative plans have been submitted which show the 3no units facing south, with the associated gardens to the north. Access for each of the properties is taken from Springfield Grove and the associated turning for those dwellings to the south of the buildings. As this is an outline application these details are not the final details and are not for consideration.

Full details of the material planning considerations are set out within the report below. Although it is noted that the application site and proposed dwellings would lie outside of the limits to development, the fact that the Council cannot currently demonstrate a five year housing land means that the Local Planning Authority's existing housing delivery policies cannot be considered as up to date. The contribution towards additional housing albeit relatively limited, is therefore a strong material consideration in the applications favour.

The proposal is also considered to be acceptable and not have an adverse impact on the character of the area or the open countryside, the amenity of neighbouring occupiers or adversely affect highway safety. Consequently it is considered that there are no any adverse impacts from the proposed development that would cause such demonstrable harm and the application is recommended for approval as outlined below;

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;

Approved plans;

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

Plan Reference Number Date on Plan
P100 22 March 2017

Reason: To define the consent.

Time limit for submission of the reserved matters;

- 02 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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

Time limit for commencement;

- 03 The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

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

Reserved matters;

- 04 Details of the appearance, landscaping, layout, and scale of the development (hereinafter called the reserved matters) shall be in accordance with the details of a scheme to be submitted to, and approved by the Local Planning Authority before development commences.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990 and to reserve the rights of the Local Planning Authority with regard to these matters.

Site and floor levels;

- 05 Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Reason: To define the consent

Dwelling heights;

- 06 Notwithstanding any description or plans the hereby approved development shall be restricted in height to a maximum height of 6.5 metres.

Reason: In the interest of the visual amenities of the area.

Noise protection – traffic noise

- 07 No development shall take place until a scheme for the protection of habitable rooms within the dwellings from the effects of traffic noise has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To protect the amenity of the occupants of the dwellings from excessive traffic noise.

Retention of existing trees, shrubs and hedges

- 08 Notwithstanding the submitted information and prior to commencement of the development, a plan identifying the trees, shrubs and hedges to be retained on the site and an appropriate management plan for those trees, shrubs and hedges shall be submitted to and be agreed by the Local Planning Authority. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved details. Any tree, shrub or hedge planted as a 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 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.

Construction Management Plan;

- 09 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;
- (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 dirt on public highways by vehicles travelling to and from the site;
- (vii) measures to control and monitor the emission of dust and dirt during construction;
- (viii) a Site Waste Management Plan;
- (ix) details of the routing of associated HGVs;
- (x) 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.

Construction activity;

- 10 No construction activity or deliveries shall take place except between the hours of 0800 and 1800 on Monday to Friday and 0900 and 1300 on Saturdays. There shall be no construction activity on Sundays or Bank Holidays.

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

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

Informative: 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

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.

SITE AND SURROUNDINGS

1. The application site is situated to the north of Kirkleavington village with access coming from Springfield Grove to the south where several bungalows are also situated. The existing stables lies to the immediate west of the site while the A67 lies to the east.
2. Immediately to the north of the site lies an open field with a group of trees further to the north. The adjoining land is generally flat with several hedgerows running through the area and forming the associated field boundaries.

PROPOSAL

3. Outline planning consent is sought for the provision of 3no dwellings with all matters except for the principle of development and the means of access being reserved for future consideration. Indicative plans have been submitted which show the 3no units facing south, with the associated gardens to the north. Access for each of the properties is taken from Springfield Grove and the associated turning for those dwellings to the south of the buildings. As this is an outline application these details are not the final details and are therefore not for consideration at this time.

CONSULTATIONS

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

Kirklevington and Castle Levington Parish Council – State that the application cannot be considered until the traffic modelling to include all data from Kirklevington is concluded. It is also stated that;

Springfield Grove has a very narrow entrance with existing parking issues as a result of Springfield Grove hosting a working garage and being at the side of the car park for use of patrons of The Crown Hotel; Springfield Grove has a lack of vision to the west and any additional vehicular activity will be dangerous; The entrance/exit to Springfield Grove sits very close to the A67/Forest Lane Junction which is at capacity; creates additional traffic to an already busy and congested road; A site visit to view and assess the application is requested.

SBC Highways Transport and Environment - Further to the initial comments made in relation to this application, issued on 19/04/17, the Highways, Transport and Design Manager has now considered the cumulative impact of all the proposed applications within Kirklevington on the highway network which include:

- Land Off Springfield Grove, Kirklevington (17/0973/OUT) for 3 dwellings;
- Land At 18A Braeside (17/0511/OUT) for 11 Dwellings;
- 24 Forest Lane (17/0224/FUL) for 19 Dwellings;
- Land West Of St Martins Way (16/3035/OUT) for 90 Dwellings;
- Knowles Farm, Grove Bank (16/3146/OUT) for 10 Dwellings.

As a part of this process it has been 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.

However, it has been demonstrated that the proposed development, as with all other yet to be determined applications within Kirklevington, 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 via a legal agreement.

Subject to the applicant agreeing to contribute, on an equitable basis, towards the provision of the required mitigation the Highways, Transport and Design Manager raises no objection to the proposed outline application with some matters reserved residential development comprising of 3no dwellings.

For information the initial comments made, in relation to this application, are included below in Appendix 1.

Environmental Health Unit – no objections in principle to the development, subject to the imposition of condition on construction/demolition Noise and noise from traffic;

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.

Paragraph 215 of the NPPF states that development plans adopted under the Town and Country Planning Act should give due weight to 'relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).'

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, 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.

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

Northern Gas Networks – no objections

PUBLICITY

5. Neighbours were notified and comments received are set out below :-

Christine Warters - 27 St Martins Way Kirklevington

I am writing to object to the above, where is the need for 3 extra houses when we have 8 houses for sale in the village at present.

The road is unsuitable for construction traffic, blind corner, narrow, also junction onto Forest Lane very close to main junction onto Thirsk road, and as such would make it unsafe for residents and villagers using footpaths and roads. This needs to be the primary consideration when considering these applications. Apparently not content with having an urban sprawl to the left of Forest Lane, we are now in danger of it on Yarm side.

Mr Jim Wallace - 15 Knowles Close Kirklevington

Clearly this is another application for development on land that sits outside the village envelope.

Stockton Council representatives are not, in any way, looking after the interests of the residents of Kirklevington who are being subjected to the ongoing cascade of greed driven applications made following the farcical outcome of the Jomast proposal.

This proposal and others that presently threaten the village of Kirklevington have the potential to over burden the infrastructure of the village. The additional traffic that would be generated during the construction/development phase poses a substantial threat to the residents of the village as pathways in the village are not suitable now to afford proper protection to those using them - especially children. The same threat will exist should permission be granted to develop the land as additional houses means more traffic in the village.

The safety of existing residents in the village must be predominant factor in the decision making processes - please make sure it is

Miss Pescod and Mr Huitson - 2A Springfield Grove Kirklevington

We are writing in response to the above mentioned planning application and we would like our objections to be taken into consideration for the below reasons:-

- Local Plan Policy EN13 defines the area where the proposed development is sited as 'Outside the limits of Development'.
- This proposed development will have a detrimental impact on the value of our property because of the loss of view to the greenbelt, and this was one of the reasons we purchased our property.
- There is a lack of capacity in respect of sewerage and other infrastructure.
- Springfield Grove is a short narrow road that has a small turnaround area at the dead end, and there are three businesses that use this road for access and parking. So there is already a high volume of traffic and parking as the grove is used as an extended car park for the local garage and public house.
- Traffic is a serious problem already in our narrow road, and we always have vehicles parking outside our properties and even blocking our drives. They are already parking on the pavements which is causing a serious issue for my disabled father who sometimes cannot even access my property. This 'proposed' development will mean even more traffic in this narrow road and could potentially cause accidents as children will not be able to use the pavements as there will be cars parked on there.
- This road is already being used as a commuter car park for car share into Teesside. I see people parking outside our property, getting into another vehicle and leaving their car parked all day.
- Cars are using our driveways to turnaround and quite a few times have nearly damaged my car which is parked on my drive.
- This road cannot manage more vehicles and traffic, it is already causing serious safety issues for disabled people and children. It is not safe for the children to play as traffic belonging to non-residents are using the road as a parking dump.
- Vehicles are being left in the turnaround preventing vehicles from turning, so cars have to reverse down the road, which is extremely dangerous.
- I am seeing an increase in the number of vehicles including horseboxes and tractors.
- This proposed development has not taking into account the safety of the residents residing in the road, and has no benefit to the area, on the contrary it will cause major safety issues.
- We would like to highlight the fact that three existing properties that run along the side of the field where the proposed new properties are to be located, are owned by members of the same family. Two of these properties are in Springfield Grove so of course they will back this proposed development. The remaining residents do not support or want this proposed development.
- The road will not be able to cope with additional trucks, lorries belonging to building merchants and all associated additional traffic that would be needed to build this development. We would appreciate all our concerns being taken into consideration, as this proposed development will not only cause serious safety issues for our elderly and young, but will have a detrimental impact on the value of our property.

Mrs Sharon Gray - 12 Jasmine Fields Kirklevington

We live in fields there is planning for houses at the side of our road of 19 houses Kirklevington won't be a village anymore with all the houses n planning that is going in we have problems with our sewerage already so building more houses is just going to make it worse we also have great concerns it is going to have on the rear of our property I think Stockton council need to have a 5 yr plan the planning is purely for financial gain

William and Joan Brown - 4 Springfield Grove Kirklevington (in summary)

Springfield Grove is a short road with an offset T junction which contains three businesses – a garage, a public house and a stables. The traffic already using is of a high volume and it is difficult to access our property at times as the combination of traffic from the small overflow car park, public house and garage park nose to tail along either side of the road. On many occasions trucks lorries and cars are forced to turn on the road encroaching onto residents driveways.

The site is outside of the limits to development and the additional houses will only add to the current traffic/parking issues being experienced.

The lack of public transport also adds to the growing numbers of personal transport.

Three of the properties that run alongside the field are owned by members of one family; the applicants Mr and Mrs Adams; their son; and their daughter.

Mr and Mrs Moore - 2 Springfield Grove Kirklevington (in summary)

With reference to the above outline planning application my wife and I object to the application for the following reasons;

- Local Plan Policy EN13 defines the area where the proposed development is sited as 'Outside the limits of Development'.
- Springfield Grove is a short narrow road that has a small turnaround area at the dead end, and there are three businesses that use this road for access and parking.
- Parking is particularly problematic on Tuesday, Thursday, Friday and Saturday nights and Sunday lunchtime with clients from the Crown Hotel. With parking on the pavements which makes it difficult to walk along and dangerous as people/children have to walk in the road.
- This road is already being used as a commuter car park for car share into Teesside. I see people parking outside our property, getting into another vehicle and leaving their car parked all day.
- Applying yellow lines would only exacerbate the problem
- We are seeing an increase in the number of vehicles including horseboxes and tractors.
- This proposed development is out of scale with Springfield Grove
- Impact on property values
- Springfield Grove is used as a commuter car park for Teesside
- Loss of views
- Will not benefit the residents of Springfield Grove

Julia Ackrill - 1 Springfield Grove Kirklevington

I refer to the above application and ask that the following objections are taken into consideration;

- The site is outside the development limits as defined by Local Plan Policy EN13
- This particular land is greenfield fringe
- Development is developer led rather than planner led.
- Sustainability is a serious issue with lack of services
- Lack of capacity with regards to sewage and other infrastructure
- Will increase the number of vehicles/traffic

- Will impact on road safety due to the number of vehicles already parking along Springfield Grove.
- This proposed development is not in keeping with Springfield Grove
- Development will not enhance the community

PLANNING POLICY

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

National Planning Policy Framework

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

Local Planning Policy

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

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

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

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

Further guidance will be set out in a new Supplementary Planning Document.

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

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.

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

_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features

of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;

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

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

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

Core Strategy Policy 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.

Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement

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

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

ii) Green wedges within the conurbation, including:

_ River Tees Valley from Surtees Bridge, Stockton to Yarm;

_ Leven Valley between Yarm and Ingleby Barwick;

_ Bassleton Beck Valley between Ingleby Barwick and Thornaby;

_ Stainsby Beck Valley, Thornaby;

_ Billingham Beck Valley;

_ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

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

9. The main planning considerations of this application are its compliance with national and local planning guidance and the impacts of the development on

Principle of development:

10. The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and in particular those for achieving sustainable development and includes a number of core planning principles, one of which is the need to identify and meet housing needs. Building upon this aspect, paragraph 47 outlines the importance that the government place on boosting the supply of housing, while paragraph 49 states that where a five year land supply cannot be demonstrated the relevant policies for housing should not be considered up-to-date. Currently the Council is only able to demonstrate a 4.5 years housing land supply with the 20% buffer added and therefore the provision of housing to address the shortfall in the 5 year housing land weighs in favour of the scheme. For the avoidance of doubt, it does not seek a presumption in favour of either brownfield or greenfield sites and the number of houses that may be for sale in the village is not an indicator or otherwise of a need for new housing.
11. With regards to the Borough's own planning policies, the site lies outside of the limits to development and the 'village envelope' of Kirklevington as defined by saved policy EN13 and is therefore within the Strategic Gap as set out under Policy CS10(3). This policy seeks to maintain the openness and amenity value the strategic gaps between the conurbation and the surrounding towns and villages.
12. Policy EN13 whilst predominately an environmental policy also acts partly as a housing restraint policy and in view of the lack of a five year housing land supply, a balancing exercise needs to be taken when objectively assessing and weighing up the contribution of new housing against the visual impacts and resultant harm on the open character of the countryside. In this regard although the site lies outside of the defined limits to development, it is situated adjacent to the northern boundary of the existing village and given a variety of factors any wider views of the development will be largely be seen within the context of its village setting and/or against the backdrop of existing residential development. With regards to the aims of policy CS10(3) a significant degree of separation exists to the neighbouring villages and settlements and it is not considered that the development of this site would bring about the visual coalescence of settlements, to undermine strategic gap.

Sustainability;

13. The National Planning Policy Framework (NPPF) identifies as one of its core principles that the planning system should manage patterns of growth to make the best use of sustainable locations or to focus developments in areas which can be made to be sustainable, a view reinforced within paragraphs 30 and 37). In addition, paragraph 55 of the NPPF, clearly states that to promote sustainable development in rural areas housing should be focused where it will "enhance or maintain the vitality of rural communities" and gives examples of clusters of smaller settlements sharing services or where development in one village may support services in another nearby.
14. At present there are 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. Although currently there is no daily regular bus service, a previous approval within the village for a large housing development made provision to expand the bus service. The village lies in relatively

close proximity to Yarm where there are a number of services to meet day-to-day needs including shops, schools, doctors and public transport connections.

15. In view of these considerations and whilst accepting that some car journeys may occur as a result of the lack of essential services and facilities the village is considered to be sufficiently sustainable to be able to support new residential development and accords with the principles of paragraph 55 of the NPPF.

Impact on character of the area

16. With regards to the visual impacts the proposal although the site lies outside the limits to development it will result in a relatively small expansion to the north of the village. Whilst the proposed dwellings would be in a visible location next to the A67, they will be seen against the context of the village setting and visually will read as being part of the existing settlement and is therefore not considered to have any significant visual impacts on the character of the open countryside.
17. The indicative plans show 3no. dormer bungalows and as Springfield Grove serves a number of bungalows, the scale of the indicative dwellings is therefore considered to be appropriate and in order to ensure that any future dwellings fit appropriately into the character of the area a planning condition is recommended to restrict the overall height of an future dwellings. The final details over the appearance of any dwellings would be considered as part of the reserved matters application so no weight can be given to those indicative details provided.
18. The council's landscape architect considers that Kirklevington village has a rural character and the treatment of the north, east and south east boundaries of the site will be essential to integrate any development into the landscape. It is advised that the existing hedgerow to the east of the site provides valuable screening and filtering of views to the existing village and that this must be retained and gapped up with new native mature hedgerow plants. Similarly it is advised that the remaining boundaries must also be carefully considered to present a rural edge to the village and avoid boundary treatments such as 2m close boarded fencing such details would however fall to consideration at the reserved matters stage.

Amenity:

19. With regards to the impact on the amenity of the surrounding occupiers, the properties immediately adjacent to the site lie to south of the application site. The indicative layout shows that the proposed dwellings would front towards the side elevations of the neighbouring dwellings although the final details regarding the site layout and the external relationships both within this site and externally to neighbouring sites will be a matter for consideration at the reserved matters stage. However, the illustrative drawings do suggest that in planning terms a housing development of the scale proposed could be accommodated without there being any adverse impacts on the surrounding resident's amenity.
20. Planning conditions can be imposed to address short to medium term impacts (i.e. dust and noise) associated construction activity should the development be approved and is not considered to be sufficient enough to warrant a refusal of the application.

Access and Highways Safety:

21. In order to fully assess the impacts of all the current applications for new housing within Kirklevington village on the highway network, the Highways, Transport and Design Manager has considered the cumulative impacts of all the proposed applications. Following the results of this modelling work it shows that the highways network within the vicinity of Yarm, would suffer some congestion. It is however considered that the residual cumulative impact of the proposed development on the highways network would not be severe within the context of the NPPF.

22. Consequently, it is considered that the highway network can accommodate the addition movements provided that mitigation to be provided by others at the A19/A67 Crathorne interchange and the A67 / A1044 / Green Lane Roundabout is delivered. As such a contribution towards the cost of the proposed mitigation should be sought and this should be provided on an equitable basis. Subject to the applicant agreeing to contribute towards the provision of the required mitigation the Highways, Transport and Design Manager raises no objection to the proposed application on the grounds on highway capacity.
23. With regards to the detail of the application, is it noted that the application is in outline. However, Springfield Grove is an adopted cul-de-sac with a footway on either side and the proposed dwellings would take access from the turning head of Springfield Grove. The provision of access from Springfield Grove would prevent parking in the turning head leaving it available for vehicle manoeuvring and there would be the opportunity to extend the adopted footway around the turning head to the benefit of highway safety. Whilst the objections are noted, it is considered that an appropriate access could be provided and in the absence of any objections the proposal is not considered to adversely impact upon highway safety.

Residual Issues:

24. It is noted that a number of objectors raise concerns with regards to the capacity of sewage within the village. Northumbrian Water have however confirmed that they have no objection to the proposed development and it is also noted that they have confirmed that the treatment works to which foul flows are transferred has sufficient capacity to handle the flows generated from the development.

CONCLUSION

25. Although the application site and proposed dwellings would lie outside of the limits to development, given the lack of a five year housing land supply the Local Planning Authority's existing housing delivery policies cannot be considered as up to date and the contribution towards additional housing albeit relatively limited, is a strong material consideration in the applications favour.
26. All the relevant material planning considerations have been considered and addressed within the report and the proposal is considered to be acceptable in those regards. Consequently it is considered that there are no any adverse impacts from the proposed development that would cause such demonstrable harm that it would warrant a refusal of the application.
27. 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 Mr Simon Grundy Telephone No 01642 528550

WARD AND WARD COUNCILLORS

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

IMPLICATIONS

Financial Implications:

The proposed development will potentially contribute towards highway improvements. The development may also provide additional funding through the new homes bonus regime.

Environmental Implications:

The proposal relates to a residential development and its visual impacts, along with matters relating to the impacts on residential amenity particularly as a result of noise and disturbance. These are considered and addressed within the report although in this instance are not considered to have any significant impacts.

Human Rights Implications:

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

Community Safety Implications:

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

Background Papers

Stockton on Tees Local Plan Adopted 1997
Core Strategy – 2010

Supplementary Planning Documents

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