

Big plans for an outstanding Borough

INTERNAL MEMORANDUM
Highways, Transport and Design

From: Highways, Transport and Design Manager
To: Planning Development Services Manager
FAO: Mr Simon Grundy
CC: Planning Administration

Proposal: Reserved matters application for the appearance, landscaping, layout and scale, for residential development of 55 no. dwellings.	Date:	20/11/17		
Location: Land At Low Lane, High Leven,	Ref:	17/0919/REM	Rev	4

HTD Consultation		Consultation Other	
Network Safety/ Connect Tees Valley		Community Transport	
Highways Network Management		Care for Your Area	
Design Services			

I refer to your memo dated: 09/11/17

General Summary

This is a Reserved Matters application for the appearance, landscaping, layout and scale, for residential development of 55 no. dwellings.

The applicant has submitted the following drawings in support of the application:

- 1617-24-P01 Rev U – Site Layout Plan;
- 1617-24-P03 Rev G – Adoption Plan;
- 1617-24-P02 Rev G – Boundary Treatment Plan;
- LDS406-01 Rev E – Planting Plan;
- 1835_53 Rev D – Detailed Landscape Proposals – OS2A.

This application forms one of the residential plots which benefits from an extant approval. The principles for the provision of housing on the site being previously been established through the outline planning approvals for the Low Lane developments (12/2517/OUT, 14/0562/OUT and 15/0497/OUT). This approval was supported by a Masterplan which set out the development parameters for the wider site including public open space and strategic landscape provision.

This current application requires a water main which currently runs through the proposed development plot to be diverted to enable housing to come forward. The proposed diversion route is located on land outside of the red line boundary but within the approved masterplan for retained and enhanced landscaping along the Bassleton Beck corridor. The corridor is noted in the Masterplan as an important corridor for biodiversity enhancement and to retain a separation between the new village at Little Maltby and existing settlements at Ingleby Barrack.

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Bassleton Beck is an ordinary watercourse, it is not a main river, therefore Stockton Borough Council as the Lead Local Flood Authority are responsible for consenting any works that may affect or have an impact on the natural flow of the watercourse.

As the water main diversion is required for this application, details must be provided on the easement as these could affect the implementation of the approved Masterplan, with specific reference to the retention of existing trees, landscape enhancement of the corridor (necessary to enhance and improve the separation of the two settlements) development and usage of the informal footway. As the Lead Flood Authority, Stockton Borough Council must also be satisfied that the proposed division will not adversely impact on the landowner's riparian maintenance responsibilities.

The Highways, Transport and Design Manager, for the reasons set out in greater detail below, currently objects to the proposals and requests that clarification of outstanding matters is confirmed by the applicant to enable the Local Authority to fully consider the details of the latest submitted information prior to determination of the application.

Highways Comments

This is a Reserved Matters application for the erection of 55 dwelling houses. The principles for the provision of housing on the site have previously been established through the outline planning applications for the Low Lane developments (12/2517/OUT, 14/0562/OUT and 15/0497/OUT).

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

Realignment of the Public Right of Way (PRoW) - Bridleway

The proposed route of the Bridleway will be subject to a RoW Diversion Order. Whilst this order falls outside of the statutory planning process (refer to informative) the following comment is made:

- The Highway Code states horses and cyclists not allowed on footways. Therefore, on this occasions the 'bridleway' terminology should be used not 'footway' to meet the RoW guidelines etc.
- The Bridleway and its proposed diversion runs through the proposed housing estate. The submitted drawings, ref. LDS406-01E, show an update to the layout of the Bridleway as it passes through the southern part of the housing estate. The layout now allows for a 2m wide grassed verge, a 3m wide tarmac surfaced Footway/Bridleway and a 1.5m wide strip for hedge planting;
- Part of the proposed diversion would utilise the adopted highway bringing potential conflict between future residents and servicing of the houses, pedestrians, cyclists, car users and equestrian users, including items such as accountability for cleaning horse fouling;
- As cyclists also have right to use Bridleways the division order will require appropriate signage should be installed on site to indicate the bridleway route (inc. status) which will allow users of the path to exercise their rights (inc. cyclists & horse riders);

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- The proposed Bridleway will have to be tarmaced both to meet adoptable standards and ease of maintenance. Tarmac surfacing of Bridleways is not generally supported for equestrian usage as shod horses can slip badly on it;
- The tarmac surfacing will have to be installed up to the bridge so as to have a continuous surfaced route;
- Street furniture will have to be installed such as bollards and dog/litter bins, cyclists dismount. The dog waste/litter bins will have to be installed on private land and will not be maintained at the public expense. Details of these bins etc have been previously issued to the applicant. The same litter bins etc will be required to be installed along the entire length of the Bridleway as other development plots come forward. As none of the Public Open Space will be offered to the Council for Title Transfer the long term maintenance of these bins will be the responsibility of the appointed management company. This matter can be dealt with by controlling condition;
- Most important in the consideration of the diversion is that there is a bound gravel footway/route proposed through the Greenspace which forms the southern part of the application site. This route is considered to be acceptable and a more desirable route for a Bridleway;

Whilst the proposed tarmac surface will serve the pedestrian users of this route it is not ideal for horses, and it is considered that rider may deviate to the informal route through the Greenspace, as shown on drawing ref. 1835_53, to the south of the site, resulting in damage to this area. Maintenance of this area should also be clearly set out within the landscape management plan, and allowance for repair to the grassed surfaces and pathways should this area be damaged by horses in the future. It is also considered that fouling of the route by horses may cause disruption to pedestrian users, and allowance should be made for clearing of this route as necessary, and/or inclusion of appropriate signage to highlight appropriate behaviour for Bridleway users. Also this route would be popular with dog walkers as a result the combined litter/dog waste bin must be installed on this route together with all other necessary directional signage etc. However, these matters can be dealt with by the controlling condition attached to the extant permission.

The Highways Transport and Design Manager does not support the proposed Bridleway diversion as it is considered that there is an alternative and better route for the bridleway to pass through the development site, via the Greenspace south of the development.

Traffic Impact

The principles for the provision of housing on the site have previously been established through the outline planning applications for the Low Lane developments (12/2517/OUT, 14/0562/OUT and 15/0497/OUT).

The trip generation, distribution and assignment for the full quantum of residential development for 970 dwellings and the subsequent operational impacts, on both the local and strategic road networks, have been assessed as a part of the outline planning applications (12/2517/OUT, 14/0562/OUT and 15/0497/OUT).

Therefore the impact on both the local and strategic highways network, which has previously been considered and accepted as a part of extant approvals 12/2517/OUT, 14/0562/OUT and 15/0497/OUT, is not a material consideration of this current application.

Vehicle Access

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The site will be accessed via an internal spine road, to be provided as part of planning approval 12/2517/OUT, which connects to Low Lane at a new roundabout junction.

The site access junction, which is taken from the internal spine road, will take the form of a simple priority T junction which is considered to be acceptable.

The works to create the internal spine road and simple T junction to serve the site will be secured via a s38 Agreement.

Layout/Parking

The applicant has submitted a proposed site layout, as shown on drawing 1617-24-P01 Rev S, which indicates that the properties will initially be accessed via a 5.5m wide carriageway.

Only 1 space per dwelling has been provided for units 25,26,27 & 30,31,32. While this is acceptable for social rented housing it would be insufficient for open market housing, should the tenure change. An under provision of incurtilage car parking in this location would result in drivers parking on-street and within the shared drive. On-street parking in this location would obstruct access to drives and obstruct manoeuvring for vehicles using the turning head, particularly large vehicles such as refuse lorries to the detriment of highway safety. Parking within the shared drive would obstruct access to other properties in addition to obstructing the proposed pedestrian footpath link.

The layout will require further revision to provide sufficient garden space to enable the future creation of the second car parking space should the tenure change. Such changes must be undertaken without an adverse impact on the street scene. The location for the second space must be indicated on the layout plan and the size etc. must comply with SPD3.

The proposed site layout, in terms of layout and parking, is therefore considered unacceptable.

Construction Management Plan

A Construction Management Plan (CTMP) should be agreed, should the application be approved, prior to construction commencing on the site. The requirement to provide a CTMP has been secured by controlling condition attached to the previously approved outline application 14/0562/OUT.

Landscape & Visual Comments

The principles for the provision of housing on the site together with an approved Masterplan have previously been established through the outline planning applications for the Low Lane developments (12/2517/OUT, 14/0562/OUT and 15/0497/OUT).

It is recommended that the hedge associated with the bridleway be maintained by the developer's management company to ensure good establishment and future maintenance must be set out clearly in their landscape management plan to ensure the hedge is pruned at least twice per year, and the arising removed from the adopted highway and the Bridleway.

The updated proposals allow for a 2m wide native mixed species hedgerow along both the northern and southern boundaries of the greenspace at the southern edge of the development,

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which is welcomed, and will provide an attractive boundary and screen the rear garden fences of properties within the development.

The soft landscape proposals for the residential area of the site, as shown on drawing ref. LDS406-01E, are generally acceptable in terms of the layout, use of hedges as boundaries, and the location of planting areas, and the tree lined feeder road has been continued where it passes along the eastern edge of the development plot. A number of the proposed new trees are located too close to the dwellings. It is generally recommended that trees be located approximately 5-6m away from any buildings, and therefore some minor amendments to the layout may be necessary, unless the use of a root barrier membrane is proposed.

It is recommended that the hedge planting mix proposed on drawing ref. 1835_53 Rev D should be amended so that both hedges rows north and south of the green corridor are the same species.

The enclosure drawing shows use of a 450mm high kick rail in locations around the site. Timber kick rails would not be supported if they are to be located on or abutting the adopted highway. If kickrails are used, they should not prevent pedestrian movement around the site and connections to other adjacent sites in future, particularly at the northern edge of the site. A kickrail is proposed at the entrance to the development around the front garden of Plot 1. This is a prominent property which forms a gateway to the development, and it is considered that this is a poor detail for this location. An alternative boundary should be considered for this location and alongside the bridleway, such as a metal parkland estate railing. No details of boundary treatments have been provided, other than their proposed locations, therefore further details are required.

Should the application be approved a condition should be added to any permission to secure adequate public open space maintenance of the site as described above. The suggested wording is included below.

Drawing number 1835-32 rev C demonstrates what was approved to discharge the open space strategy condition. The detail of this is covered in revision D. Both plans clearly show a footpath in the 10m watercourse buffer. Given that an existing pipeline has to be diverted to enable this site to come forward the following needs to be clarified:

- What is the easement of the proposed pipeline diversion, and will this easement require the removal of existing mature trees, other vegetation and agreed landscaping (as per the Masterplan), and if so, what mitigation measures will be put in place, such as replacement tree planting etc. The Buffer zone is 10m, para 55 of the inspectors decision states that - *Conditions requiring a watercourse buffer zone and ecological mitigation measures are necessary in the interests of habitat protection and enhancement.* If the exiting trees are lost or suitable mitigation strategies along with additional planting cannot be achieved due to this easement then the Highways, Transport and Design Manager must object to the application;
- How the proposed path is to be retained and maintained must be detailed and approved in writing by the Local Planning Authority;
- No development of this site shall take place until an open space strategy has been submitted to and approved in writing by the Local Planning Authority. This shall identify the extent, location and design of public open space within the development permitted herein or how alternative open space provision can be provided within a wider strategy with any neighbouring development pursuant to planning permission 13/3077/VARY.

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Development shall thereafter be carried out in accordance with the approved open space strategy:

- Phasing programme. It is proposed that this can form part of the above as a phasing condition was secured;
- A pedestrian footpath link to the informal recreational footpath is required at the northern end of the site.

Flood Risk Management

The principles for the provision of housing on the site and the flood risk strategy have previously been established through the outline planning applications for the Low Lane developments (12/2517/OUT, 14/0562/OUT and 15/0497/OUT).

Notwithstanding that consent Stockton Borough Council as the Lead Local Flood Authority (LLFA) require confirmation of the following prior to the determination of the application:

- As the water main diversion is required for this application, the LLFA must be satisfied that the proposed division will not adversely impact on the landowner's riparian maintenance responsibilities;
- The LLFA would request that the Environment Agencies approval is also sought the installation of the water main within the defined 10m buffer.

In additional the LLFA is unable to provide comment until the following information has been provided. However, these matters can be dealt with by the controlling condition attached to the extant permission:

- Site specific Drainage strategy for the final drainage scheme including sustainable drainage measures proposed for this phase of development;
- Detailed flow calculations (mdx file) that makes reference to a site layout drawing;
- Detailed drawing must highlight; total site area, total impermeable area, total permeable area, the drainage catchment area for phased development sites.
- A drainage site layout drawing of the whole development highlighting any flooding that is not contained in the drainage system between a 1 in 30 year event up to the 1 in 100 year event plus 40% climate change. The drawing must include;
 - The extent of the flooded area;
 - Its volume;
 - Flooded depths;
 - Duration (time the flood water will be present);
 - Pipe run numbers;
 - Manhole numbers including manhole cover & invert levels;
 - Flow controls;
 - Plot finished floor levels;
 - Existing and proposed site levels including falls;
 - Discharge rate & location;
 - Storage volumes;
- A drawing highlighting the exceedance flow routes for events greater than 1 in 100 plus 40% climate change **that will not be contained within the development site**. The drawing should highlight the storm event that will result in surface water flows exiting the site and the direction of flow;

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- Detailed drawings of any proposed on the surface SUDS features, must include;
- details of any suitable silt interception upstream of system;
- detailed design parameters for inlet/outlet structures, flow control devices, overflow arrangements, slopes/gradients, erosion control, finished site levels;
- access arrangements for maintenance;
- designed return period(s) (years), maximum designed water depth(s) and levels, maximum designed storage volume(s) (m³);
- highlight the 1 in 30 year event flood level & depth and the flood level/depth for the 1 in 100 plus 40% climate change on any proposed SUDS features, including freeboard;
- Details of any proposed water quality treatment;
- Critical materials/product specifications – details of finished ground materials, Geomembrane, Geotextile (non-woven), Topsoil, Other etc.;
- Long/cross-section drawings including dimensions;
- A detailed Maintenance and Management Plan, setting out the maintenance arrangements of any SuDS features that will not be adopted by Northumbrian Water and will be privately maintained. The document should highlight the features to be privately maintained along with a maintenance schedule, including the funding arrangements to undertake the required maintenance for the lifetime of the development;
- A Health and safety plan, if appropriate, considering area of open water;
- A plan highlighting what is to be adopted by Northumbrian Water & Management Company etc;
- Detailed drawing indicating the landscape proposals for the Sustainable Urban Drainage Systems to resolve all elements of the layout, appearance and character of the feature including;
- Hard landscaping – footpaths and access track surfacing materials, boardwalks, boulders, fences, and any other furniture, etc;
- Soft landscaping – proposed new tree and shrub planting, grass seed mixes, aquatic plants etc;
- Details of recreational features, if appropriate;
- Ecological enhancements – such as habitat creation;
- A build program and timetable for the construction of the critical surface water infrastructure, must include, outfall structure, control devices, attenuation/storage, temporary control measures during construction phase, measures to control silt levels entering the watercourse.

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Informative

- If planning permission were to be granted but the proposed diversion of the Bridleway receives an objection that cannot be resolved, then SBC has to refer the matter to the Secretary of State for determination. These are determined by the Planning Inspectorate on behalf of the Secretary of State.

SBC and Central Government encourages applicants to consider rights of way issues at an early stage of the planning process, to minimise the overall impact of the proposal on the right of way, and reduce the risk of delay at a later stage.

[Relevant information on opposed Orders etc, can be found on Gov.uk.](#)

- 1617-24-P03 Rev G – Adoption Plan – The plan is unacceptable as it proposes areas that would not be accepted for adoption.

Conditions

UDLV11 Maintenance Public Open Space

No development shall commence until full details of proposed landscape management has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, 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:

- (i) Development;
- (ii) 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 LPA 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 public amenity and to improve the appearance of the site in the interests of visual amenity.

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