

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

17 January 2017

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

17/1704/FUL

**Land at Low Lane, Ingleby Barwick,
Erection of 2 no. detached dwellings with associated access and landscaping**

SUMMARY

Members may recall that this application was deferred at the planning committee on the 29th November with Members advising that the applicant should seek to address all outstanding matters including an alternative route to the existing bridleway which related to the accompanying application 17/0919/REM. Since that committee meeting the applicant and landowner are now proposing to move the entire bridleway to the south of the development site. However this does not affect the details provided for this application.

The application site lies to the south-east of the existing settlement of Ingleby Barwick and is currently a part of an open field bounded by hedgerows and a bridleway to the south. Immediately to the south is the Ingleby Manor Free School while the neighbouring residential development (Manor Gardens) lies to the south east.

Planning permission is sought for the erection of two dwellings (plots 52 and 53) which form part of the next phase of housing development on the Low Lane site which will provide a total of 55no. dwellings. The proposed dwellings are the Oak and Peony house types which provide four and three bedrooms respectively.

The site has the benefit of an outline planning permission for 350 dwellings and a Free School (already built), although seeks its own individual full planning permission for the two dwellings, albeit this will form part of a wider residential scheme (ref;17/0919/REM) and is submitted separately as a result of a red line boundary issue.

The acceptability of residential development on the site has already been established through an outline planning application and it is considered that the site remains suitable for residential use. Visually the two dwellings will form part of, and will be read as part of a larger housing development and are considered to be in keeping with the characteristics that can be expected from a modern housing estate. The associated separation distances will also ensure that acceptable standards of residential amenity for both neighbouring occupiers as well as future residents of the development will be provided, while the associated access and parking provision also accords with Council guidance

RECOMMENDATION

That planning application 17/1704/FUL be approved subject to the following conditions and informative;

Approved Plans;

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

Plan Reference Number	Date on Plan
LDS406-02	30 October 2017
IB/1057/STD/25/03	30 October 2017
1617-24-P05 REV A	30 October 2017
1617-24-P04 REV B	30 October 2017
IB/1057/STD/00/001	30 October 2017
IB/1057/STD/25/04	30 October 2017
687 BEL 003	28 June 2017
A/PLCGA/00/001A	28 June 2017
IB/1327/STD25/01	28 June 2017
IB/1327/STD/25/02	28 June 2017
IB/1327/STD/25/03	28 June 2017
IB/1327/STD/25/04	28 June 2017
IB/1327/STD/00/001	28 June 2017
IB/1057/STD/25/01	30 October 2017
IB/1057/STD/25/02	30 October 2017

Reason: To define the consent.

Materials:

- 02 Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).

Reason: To enable the Local Planning Authority to control details of the proposed development.

Soft landscaping details:

- 03 All soft landscaping works shall be carried out in accordance with drawing LDS406-02 and include provision for a root director where trees are located adjacent to the adopted highway. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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

Hard landscape details:

- 05 Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (e.g. incidental buildings and street furniture).

Reason: In the interests of visual amenity.

Means of enclosure:

- 06 All means of enclosure associated with the development hereby approved shall be in accordance with drawing 1617-24-P05 Rev A Such means of enclosure as agreed shall be erected before the development hereby approved is first occupied.

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

Site and floor levels:

- 07 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

Construction activity:

- 08 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.

Archaeological Features:

- 09 No development shall take place until a programme of archaeological works has been implemented in accordance with a written scheme of investigation, which has been first submitted to and approved in writing by the local planning authority.

Reason: In the interests of the preservation of any archaeological remains

Surface Water Drainage:

- 10 No development on the separate school or housing elements of the development shall take place until a scheme for the management of surface water during the construction phase and thereafter, including sustainable drainage measures, specific to that element of the scheme (school or housing) has been submitted to and approved in writing by the local planning authority. Surface water run-off from the site shall be limited to 42l/s. Development shall be carried out in accordance with the approved details.

Reason: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development.

Unexpected land contamination

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

Reason: To prevent the risk of pollution given historical and potential land contamination features within 250m.

Removal of PD Rights - All Householder

- 12 Notwithstanding the provisions of classes A, B, C, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

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

BACKGROUND

1. The application site has a relatively long and varied site history, with two applications for outline planning permission originally being sought in the mid 1970's for residential development, with the later application being refused (refs; S1626/74 & S1629/75). A further application for residential and ancillary development was also refused and the subsequent appeal dismissed by the secretary of state (ref; S1389/88). The land forming the application site was also envisaged as being part of village 7 of Ingleby Barwick although this village was removed from the master plan and Ingleby Barwick as a whole proceeded as 6 'villages'.
2. Planning approval was then granted for an 18-hole golf course and driving range (ref; 90/1965/P) with a further application in 1994 seeking the provision of a golf driving range, new access and service building (ref; 94/0385/P). These planning consents were re-established in 1997 and renewed in 2000 and 2003, with the later consent expiring in September 2006. A mixed-use development (ref; 06/2593/OUT) comprising of a family pub, play barn, lodge and children's nursery was also submitted but withdrawn.
3. More recently a planning permission was obtained on appeal for the erection of Ingleby Manor Free School and a residential development of 350 dwellings (ref; 12/2517/OUT & 13/3077/OUT) to which this site forms part of. A further separate outline application for an additional 70 dwellings was also won on appeal (14/0562/OUT).
4. Development on the wider site has now commenced with the Ingleby Manor Free School now built and occupied and the first phase of housing largely built and also occupied. This site also forms part of a wider site for residential development which consists of 55no. dwellings, albeit it falls outside of the outline application site for 70 dwellings (ref; 17/0919/REM)

SITE AND SURROUNDINGS

5. The application site lies to the south-east of the existing settlement of Ingleby Barwick and is currently a series of open fields bounded by hedgerows. The residential properties of Regency Park and Priorwood Gardens lie on the opposite side of Bassleton Beck to the west and north-west respectively. Immediately to the south is the Ingleby Manor Free School while the neighbouring residential development (Manor Gardens) lie to the south east.

PROPOSAL

6. Planning permission is sought for the erection of two dwellings (plots 52 and 53) which form part of the next phase of housing development on the Low Lane site which will provide a total

of 55no. dwellings. The proposed dwellings are the Oak and Peony house types which provide four and three bedrooms respectively.

7. Although the site falls outside of the red line boundary of the outline consent for the 70 dwellings to the north of the Ingleby Manor Free School, the proposed dwellings are within the outline site of the 350 dwellings and Free School.

CONSULTATIONS

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

Highways Transport and Design Manager

I refer to your memo dated: 01/11/17

General Summary

Whilst this is a Full application for the erection of 2 no. detached dwellings with associated access and landscaping the site sits within the boundary of the outline planning consent for the erection of Ingleby Manor Free School and Sixth Form and residential development (350 dwellings) including means of access (12/2517/OUT).

The principle of the development has therefore already been considered and agreed as a part of the outline planning consent (12/2517/OUT) therefore comments are only provided on the acceptability of the layout of proposed development.

Highways Comments

The principle of the development has already been considered and agreed as a part of the outline planning consent (12/2517/OUT) therefore comments are only provided on the acceptability of the layout of proposed development.

A Construction Management Plan should be agreed prior to construction commencing on the site and this should be secured by condition as attached to the outline planning consent (12/2517/OUT).

Vehicle Access

The site will be accessed, via a simple priority T junction as shown on drawing 1617-24-P04 Rev B, from the main internal spine which serves the wider site and this is considered to be acceptable.

Layout/Parking

The applicant has submitted a proposed site layout, as shown on drawing 1617-24-P04 Rev B, which indicates that the properties will be accessed via a 6m wide private drive. Incurtliage car parking for each unit has also been provided in accordance with Supplementary Planning Document 3: Parking Provision for New Developments (SPD3).

The proposed site layout is therefore considered to be acceptable.

Landscape & Visual Comments

The applicant has submitted a planting plan, as shown on drawing LDS406-02, which is considered to be generally acceptable. However, the proposed method of tree staking should be updated to include a root director where trees are located adjacent to the adopted highway to prevent future damage to the surface.

Flood Risk Management Comments

No details have been provided at this stage in relation to the surface water management solution for the proposed site however, this information which is required prior to

commencement of development is secured by controlling condition as attached to the outline planning consent (12/2517/OUT).

Environmental Health Unit – no objection in principle subject to planning conditions covering the following;

- Construction/ Demolition Noise
- Noise (traffic noise)
- Unexpected land contamination

Northern Gas Networks – No objections

Northumbrian Water Limited - Northumbrian Water actively promotes sustainable surface water management across the region. The developer should develop their surface water drainage solution by working through the following, listed in order of priority:

- o Discharge into ground (infiltration)
- o Discharge to a surface water body
- o Discharge to a surface water sewer, highway drain, or another drainage system
- o As a last resort, discharge to a combined sewer

Spatial Planning & Regeneration – The Economic Strategy and Spatial Planning Team have no comments to make and the determination of the application should consider planning policies and material considerations relating to the design of the development, amenity of residents, amongst other things

PUBLICITY

9. Neighbours were initially notified and one objection comment has been received to this application as detailed below. An administrative error has led to a neighbour notification of 21 days being carried out (as opposed to a 7 day amendment letter) this will expire on the 21st November.

Mrs Christine Nicholson - 21 Regency Park Ingleby Barwick

It would appear that this application to erect 2 detached dwellings are the 2 dwellings removed from Planning Application 17/0919/REM? The application is still for 55 dwellings at Low Lane, which SBC should reject as Ingleby Barwick has reached saturation point. The impact on the infrastructure is affecting all residents, not just those living close by. SBC should be looking at Brownfield sites to offer to developers, not just allowing them to use Green Spaces because it's easier and cheaper for them to develop. Developers Build & Go, they don't have to live in the development once it's completed. Type in Europe's Largest Housing Estate on the Internet, and Ingleby Barwick pops up. In 2011 the population was estimated at some 21,000. This is nothing to be proud of. There are still over 100 properties for sale in Ingleby Barwick, so why build more. SBC need to stop this planning epidemic. If something has to be build on Low Lanes, then turn into something that everyone can enjoy.

PLANNING POLICY

10. 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

11. 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

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

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

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

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

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

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

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

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

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

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

Core Strategy Policy 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).

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.

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.

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.

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.

Saved Policy EN28 of the Local Plan

Development which if likely to detract from the setting of a listed building will not be permitted.

Saved policy EN30 of the Local Plan

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

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

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

Saved Policy HO3 of the Local Plan

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

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

MATERIAL PLANNING CONSIDERATIONS

13. The site has outline planning permission for residential development for 350 dwellings and although this application is seeking full planning permission, the principle of residential development on the site has been established.
14. In effect this site will function as part of the neighbouring housing site (ref; 17/0919/REM) and will form the next phase of this part of the Low Lane development. In total 55no. dwellings will be provided across the two sites. In view of the outline planning consent and the changing nature of this site, the principle of residential development on the site remains acceptable subject to those material planning considerations outlined below.

Visual Impact;

15. In assessing the context of the surrounding area, it is noted that the application site is currently a green field although it forms part of a wider residential development, including a new school to the south and housing development to the south east. Further residential developments are situated to the west. Generally the dwellings within the immediate area are two storeys and consist of brick, render and roof tiles.
16. The proposed dwellings are two storey and are considered to fit with the overall scale and character of the surrounding area and will read as part of the wider housing estate development. The proposed design of the house types also reflects those to be built on the adjacent site and it is considered that this will fit into the existing character of the site and the wider surrounding area.
17. In terms of landscaping, provision is made for hedge and tree planting adjacent to the main highway, while further hedge planting is proposed adjacent to each dwelling. Such arrangements are considered to be visually acceptable and will help to provide an attractive frontage while also ensuring that the development fits with the adjacent site.

Amenity;

18. With regards to the proposed site layout, the internal separation distances from the main elevations of the proposed dwellings predominately meet or exceed the minimum separation distance of 21 metres between habitable rooms or 11 metres between non-habitable rooms or blank elevations. Where there are exceptions, this is as a result of front elevations facing one another to achieve a better form of development or as a result of a difference in orientation which would limit the potential for overlooking in any case. Consequently the proposed layout is considered to be acceptable and will ensure that future residents of the proposed development will have a satisfactory level of residential amenity. It is also considered that sufficient amenity space is provided for each of the dwellings.
19. The proposed dwellings would also be directly opposite a future phase of housing and any separation distances would need to be considered at that point in time to ensure that residents of those relevant dwellings have adequate levels of residential amenity.
20. In order to minimise any associated noise implications a planning condition is recommended to control hours of construction activity.

Highways matters

21. Access to the two dwellings is via the main spine road and a private drive. The Highways, Transportation and Design Manager has considered the information supplied as part of the application and is satisfied that the proposed layout and parking provision of each property is acceptable and that there proposal will not result in any significant impacts on highway safety.

Features of Archaeological Interest;

22. As part of the outline planning permission of this wider site, archaeological assessments and geophysical surveys were undertaken which highlighted that although the site had the potential

for archaeological remains to be present, they would not preclude development of the site. For consistency a condition requiring a written scheme of investigation and programme for archaeological works is therefore recommended to ensure that the dwellings will not have any significant impacts on features of archaeological interest.

Residual Issues;

23. Comments in relation to impacts on the infrastructure of Ingleby Barwick are noted, however any such impacts must be considered within the wider context of the extent of development which has been permitted on the wider site/area. The additional two dwelling is therefore not considered to pose any significant impacts on the associated infrastructure within Ingleby Barwick.

CONCLUSION

24. In view of the above considerations and whilst acknowledging the objection received, the principle of residential development on the site has been established as part of the outline planning application.
25. This proposal for two dwellings will form and be read as part a large housing development and the scheme is considered to be visually acceptable and in keeping with the characteristics that can be expected from a modern housing estate. The associated separation distances will also ensure that acceptable standards of residential amenity for both neighbouring occupiers as well as future residents of the development will be provided. The associated access and parking provision also accords with Council Guidance.
26. The proposed development is therefore considered to be acceptable in planning terms and is recommended for approval subject to those conditions set out in this report and the expiry of the consultation period.

Director of Economic Growth and Development
Contact Officer Mr Simon Grundy Telephone No 01642 528550

WARD AND WARD COUNCILLORS

Ward	Ingleby Barwick East
Ward Councillor(s)	Councillor Kevin Faulks
Ward Councillor(s)	Councillor Gillian Corr
Ward Councillor(s)	Councillor Sally Ann Watson

IMPLICATIONS

Financial Implications:

There are no known financial implications in determining this application

Environmental Implications:

The assessment of the application has taken into account the impacts on the character and appearance of the area as well as impacts on adjoining properties and it is considered that there would be no significant impacts as detailed 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.

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

Alteration Number 1 to the Adopted Local Plan – 2006

Core Strategy – 2010

Supplementary Planning Documents

SPD1 – Sustainable Design Guide

SPD2 – Open Space, Recreation and Landscaping

SPD3 – Parking Provision for Developments