

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

15th August 2018

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

18/0639/FUL

Smiths Arms, Carlton Village, Carlton

Application for the erection of 2 detached houses to the rear, landscaping and associated means of access. Including reconfiguration of public house car park and beer garden including erection of gazebo and creation of an outside seating patio area to front.

Expiry Date 15th August 2018

SUMMARY

The application seeks planning permission for the erection of two detached dwellings within the grounds of the Smiths Arms public house, Carlton.

There have been 20 letters of objection from neighbouring properties and also an objection from the ward councillor and parish council.

The application has been considered in respect of the comments raised. It is considered that the proposal is acceptable in respect of the impacts on the amenities of neighbouring properties, the character of the area, the existing pub operation, the impacts on landscaping/trees and highway considerations.

The application is considered to be acceptable for the reasons set out in the officers' report and is recommended for Approval with Conditions.

RECOMMENDATION

That planning application 18/0639/FUL be approved subject to the following conditions and informative below;

01 Approved Plans;

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

Plan Reference Number	Date on Plan
17.2586.100 P4	30 May 2018
17.2586.105 P2	26 March 2018
17.2586.103 P1	26 March 2018
17.2586.104 P1	26 March 2018
17.2586.102 P2	26 March 2018
17.2586.101 P2	26 March 2018

Reason: To define the consent.

02. Materials

No construction works shall take place on the external surfaces of the building until the materials to be used on external surfaces for the building have been made available for inspection on site and are subsequently approved in writing by the Local Planning Authority.

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

03. Hours of Construction

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

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

04. Landscaping Softworks

No development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

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

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

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

05. Removal of PD rights

Permitted Development Rights - Extensions and Alterations

Notwithstanding the provisions of classes A, B, C, D, E, and F of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority

Reason: To ensure the dwellings remains of a an appropriate scale appropriate to prevent an adverse impact on the amenities of the neighbouring properties

06. Levels

Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of ground levels and finished floor levels for the

dwelling and garage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate the levels of all adjoining land. The development shall be carried out in accordance with these approved details.

Reason: To take into account the properties position and impact on privacy and amenity associated with adjoining properties and gardens in accordance with the principles of saved Stockton on Tees Local Plan Policy HO3 and the National Planning Policy Framework.

7. Drainage

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

Reason: To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework.

8. Archaeology

Recording of a heritage asset through a programme of archaeological works

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

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation

6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

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

Reason: The site may be of archaeological interest

9. Tree protection

All works shall be carried out in strict accordance with the submitted arboricultural implications assessment and method statement dated the 23rd of March 2017. Unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the protection of trees adjacent to the site that are worthy of long term retention.

10. Construction management plan

A traffic and construction management plan including a scheme for the control of dust during demolition and construction of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement

of the development. Such a scheme shall include details of routes and delivery times that HGVs will be permitted to use in the vicinity of the site and wheel washing facilities to ensure that no mud or debris is carried onto the highway. Mobile crushing and screening equipment shall have any appropriate local authority PPC permit required and a copy of this permit available for inspection. The agreed scheme shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety and the amenities of the area.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

Informative 2- Northern Gas Networks

Northern Gas Networks has commented that there may be apparatus in the area that may be at risk during construction works and should the application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in details. Should diversionary works be required these will be fully chargeable.

BACKGROUND

1. Previous applications at the site relate to alterations to the public house including new entrance door to front and canopy over rear entrance door (ref; 04/3874/FUL); a timber shelter to the rear of the public house (ref; 10/0944/FUL); and, advertisements (ref; 13/2829/ADV).

SITE AND SURROUNDINGS

2. The application site is to the rear of Smiths Arms, in the village of Carlton, and covers approximately 0.3 hectares of land. The site comprises the Smiths Arms Public House with 32 useable car parking spaces. Vehicular and pedestrian access into the site is from the main road which also serves the adjacent residential properties to the east. The Smiths Arms is an end of terrace property with residential properties adjoining to the east. There are additional residential properties to the north, west and south of the site.
3. The frontage of the pub comprises a tarmac surfaced car park whilst to the rear, via an access road to the west of the pub there is further parking immediately behind the main building. Beyond this is a large beer garden area predominantly laid to grass. The site is irregular in shape having an average depth of approximately 30m and a width of approximately 41m.
4. Trees and planting screen the existing beer garden to the east and there are trees located to the south and west boundaries. A 1.8m high close boarded fence forms the west and southern boundaries. There are residential properties and associated garden areas adjacent to the site on the west, south and east boundaries.
5. The Public House is of traditional style comprising brick and render elevations under a slate roof. The locality is predominantly residential, incorporating a broad mix of detached, semi-detached, and terraced dwellings, mostly being two storeys in height. These include more

recent developments in Poplars Lane and Willow Bridge Close, with properties being generally detached and of traditional character. The site lies within flood zone 1.

PROPOSAL

6. The application seeks planning permission for the erection of 2 detached houses to the rear of the Smiths Arms within the existing beer garden area, including associated landscaping and a means of access.
7. The proposed dwellings include associated garages and surface parking and will be accessed through the rear pub car park. The houses are to be of traditional appearance and are to include a mix of red brick and painted render elevations with clay tiled roof.
8. The rear garden areas to the proposed plots are to be a depth of approximately 10m (total areas to be 240sqm and 260 respectively). Boundaries between the proposed dwellings are to include 1.8m high close boarded fencing.

Plot 1:

9. House 1 is located to the south east and is a two storey detached property with a ridge height of 8.6m, eaves height of 5.3m. A single attached garage is located to the west which has a ridge height of 4.8m and an eaves height of 3m. The property has a projecting two storey gable to the rear with a ridge height of 7.4m with an eaves of 5.3m with 4 bedrooms and bathroom at first floor and at ground floor kitchen, living and dining areas. Details include a gable chimney and door canopy.

Plot 2:

10. House 2 is located to the south west and is a two storey detached property with a ridge height of 8.6m, eaves height of 5.3m. A single attached garage is located to the west which has a ridge height of 4.8m and an eaves height of 2.5m. Features including a gable chimney, projecting front bay and door canopy details. The property has a projecting two storey gable to the rear with a ridge height of 7.4m with an eaves of 5.3m with 4 bedrooms and bathroom at first floor and at ground floor kitchen, living and dining areas
11. A dedicated pedestrian route is proposed through the public car park with the site also being fenced and gated from the pub car park. The proposals include the reconfiguration of the public house car park and beer garden including the erection of wooden gazebo building to the rear and creation of an outside seating patio area to the front of the public house.

CONSULTATIONS

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

Northern Gas Networks

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

Highways Transport & Design Manager

Subject to the comments below the Highways, Transport and Design Manager raises no objections.

Highways Comments

The applicant has submitted a Transport Statement (TS) which demonstrates turning for both the proposed dwellings and service vehicles for the public house. It is accepted that deliveries to the public house are likely to take place when the car park is not in use and that this is the current arrangement. The TS states that this proposal will result in the loss of 1 parking space for the public house which is considered to be insufficient grounds to object. In accordance with SPD3: Parking Provision for Developments 2011, 3 incurtilage car parking spaces are provided for each 4-bedroom dwelling. A construction traffic management plan should be obtained by condition.

Landscape & Visual Comments

The proposed development seeks to provide 2 new dwellings to the rear of the Smiths Arms, Carlton. The development site is well screened from the unnamed road joining Kirk Hill/Thorpe Road to the north and sits within the context of recent housing development of a similar nature. There will be views of the development from the existing public house and the rear of some of the properties on Poplars Lane.

A tree assessment and tree protection plan has been produced. This appears acceptable and indicates the removal of a single tree from the development site. A condition should be applied to ensure that works are carried out in accordance with the submitted tree protection measures. Some replacement tree planting is proposed within the development.

Additional information has been provided by the applicant providing details of hard landscaping, means of enclosure and illumination, however full details of soft landscaping are still required but these may be conditioned.

Landscaping Softworks

No development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

(i) Commencement of the development;

(ii) or agreed phases;

(iii) or prior to the occupation of any part of the development;

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

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

Councillor A Stephenson

Having looked at the plans one is struck by the poor access to the site and that they is going to be only one way in and one way out and feels for emergency service this would be an issue. The access would be through the car park area and as they is already major problems in Carlton due to badly parked cars this would add greatly to the issue.

The property is already boarded on all side by other property's so it would be in fill to to high a level. So considering all the pros and cons of the development I would a pose the development on the grounds listed above.

Carlton Parish Council

On behalf of Carlton Parish Council we would wish to object and reinforce the objections already made by the community to the proposed development at the rear of The Smiths Public House (in its beer garden) on the following grounds.

1. Community - the proposed site is an important communal green space in the village with no other site in the village having the amenities provided by The Smiths Arms - e.g. food, refreshments, toilets, parking etc. The loss of this amenity would be damaging to the community spirit which exists in the village with the new tenants and staff at the pub doing a fantastic job of restoring The Smiths to its rightful place at the heart of that community. With the proposed development would come disruption to the business, car parking issues etc, which would affect the tenants ability to make a profit and have a detrimental effect on the business. It removes a fantastic community space that is utilised for social events, as a community garden or 'activity' barn
2. Over development in the village - there are some 20 properties for sale within a 1 mile radius of the proposed development, 11 of which have been reduced in price. The Orwell Grange development has not sold as well as expected with phase 3 no longer being developed due to lack of demand. There is no necessity for this type of housing in the village at this time, executive and expensive, out of reach from most first time buyers from within the community.
3. Access - Access to The Smiths Arms is already shared with neighbouring properties, additional properties would impose further strain on this access. This is already a narrow road and there would be insufficient space to provide safe access to either additional properties or to receive pub deliveries. There would be insufficient access for emergency vehicles, with poor/narrow access to the proposed houses effecting refuse collection vehicles etc.

Sabic UK Petrochemicals Ltd

Proposals will not affect any Sabic pipelines or apparatus

Environmental Health Unit

I have checked the documentation provided, have found no grounds for objection in principle to the development. Due to the close proximity of residential premises I would advise the following condition regarding construction noise be imposed.

'Construction/ Demolition Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction/demolition, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site. I would recommend that working hours of all construction/demolition operations including delivery/removal of materials on/off site shall be restricted to 08:00 ' 18:00Hrs on weekdays, 09.00 ' 13:00Hrs on a Saturday and no Sunday or Bank Holiday working. Should works need to be undertaken outside of these hours the developer should apply for consent under Section 61 Control of Pollution Act 1974. This would involve limiting operations on site that cause noise nuisance.

Tees Archaeology

Thank you for the consultation on this planning application.

The applicant has provided an Archaeological Assessment which concludes that there is low archaeological potential within the development area. I disagree with this conclusion. The

development area is located at the rear of a plot in the medieval village. There is potential for archaeological remains relating to agricultural activity, industrial and craft activities, and rubbish disposal.

Although the site has potential to contain archaeological remains of the medieval period, the significance of the deposits is unlikely to be high and their loss would be acceptable in planning terms (NPPF para 135).

It would be reasonable for the planning authority to ensure that the developer records any archaeological remains that will be destroyed by the development (NPPF para 141). This would take the form of archaeological monitoring during groundworks such as topsoil stripping and foundation trenching. I recommend that the local authority attach the following condition to secure this work:-

Recording of a heritage asset through a programme of archaeological works

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

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

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

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

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

Northumbrian Water Limited

In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

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

No comments received from -SBC Private Sector Housing, SBC Care For Your Area, Northern Powergrid, Spatial Planning & Regeneration or Cleveland Police

PUBLICITY

13. Neighbours were notified and comments were received from the following:

1. Miss Polly Quincey , 6 Orchard Close Carlton
2. Mrs Sue Orton , 1 Meadow Walk Carlton
3. Miss Anna Goldie, 9 Green Leas Carlton
4. Mrs Carol Ross ,4 The Crescent Carlton
5. Amanda J Roberts ,9 Hall Close Carlton
6. A Magee, Glen Cottage Carlton Village
7. Jeff Elliott , 3 Ash Tree Green Carlton
8. Mrs Sarah Turner , 8 Willow Bridge Close Carlton
9. Mrs P J Hardwicke, Chestnut House Carlton Village
10. Mr John Wilson Farmside Cottage Carlton Village
11. Neil Harrison ,Lynfield Carlton Village
12. Mrs Jacqueline Bradburn , Deepdale Carlton Village
13. David Thompson ,Bielside Carlton Village
14. Carol & Edward Heatley , 5 Poplars Lane Carlton
15. Mr Michael Mcdonnell , 4 Poplars Lane Carlton
16. Mr Michael Wilson , 2 Rose Cottages Carlton
17. Mrs N J Miller , Old Lilac House Carlton Village
18. Mrs Barbara Agar ,4 Hall Close Carlton
19. Mr COLIN GOLDIE , 9 Green Leas Carlton
20. Mr Iain Fox ,10 Willow Bridge Close Carlton

Concerns relate to:

- Inadequate access for emergency vehicles & HGV's
- Deliveries are proposed to be made when the public house is closed, thus the car park is empty. This argument does not hold. The public house opens at noon meaning deliveries would take place in the morning. The public house is rurally located, with a wide sphere of influence and is poorly served by public transport which ends at 18:06 to Middlesbrough and 18:44 to Stillington. Therefore, patrons drive to the pub and take a taxi home, meaning of a morning, the car park is often just as busy as the evening.
- The narrow access is the only access for HCVs, cars, pedestrians and cyclists. the lack of forward visibility that is, from both approaches, substandard.
- There is no attempt to provide a design that delineates pedestrian and cycling routes.
- the issue of speed; currently there is both a SLOW marking and a speed hump in this passage due to excessive speeds from the main road, down a reasonably steep hill to the narrowest part of the access
- The development of this site would see the loss of an economic asset to the pub to the detriment of the economic vitality of the pub
- The development would be spoiling the hub of the community 'Our Pub'.
- Over development and unlikely to sell as who would want to live in a pub car park. Stockton Council has identified Carlton as a sustainable village, and the pub is a key part of the core services which justify this status. Where there is only one of any core service, it is particularly vulnerable to any change.
- The "proposed reconfiguration" of the beer garden is poor compared to those provided in neighbouring villages
- Loss of community open space that is of importance to the residents of Carlton., no equivalent space which could replace this
- Inadequate consultation
- The suggestion that the land is surplus to the business needs of the public house is simply untrue
- No demand for housing- houses for sale in the village have been reduced in price due to lack of demand
- This is not a development which propagates economic sustainability for the people of Carlton.

- This land is sacrosanct to the people of Carlton, and when maintained, very well used for community events which foster a very special sense of spirit we villagers have spent lifetimes trying to harbour and maintain.
- Lack of affordable housing
- Loss of green space and habitat
- No links for pedestrian or cycle access
- The development will cause traffic problems such as traffic generation, access and safety problems especially as access will be through the car park with associated dangers to young children.
- The proposal reduces the amount car parking available for the pub
- Local infrastructure is not adequate to service the proposed development
- Pedestrian safety, pedestrian conflict with pub vehicles
- Disability access
- The necessity for speed ramps highlights the risk of careless drivers to all but those adults able in body and mind. These ramps would be very unpleasant for wheelchair users, especially those in manually operated chairs and if vehicles were approaching.
- Access to and from the proposed houses would be potentially unsafe for all but the very fit. There is no safe access for wheelchair users, for those with a walking or other mobility impairment, for those with sight or hearing disabilities or for children to and from the proposed properties.
- The 1 metre demarcation appears hopelessly inadequate for dark winter days when visibility and weather conditions are poor.
- The seating area to the front is detailed to extend 4 meters into the car park, on safety grounds due to the size of the parking area this would be unsafe for adults and children also could restrict the entrances to the adjoining properties.
- Reduction in car parking for pub will lead to cars parked on the road
- diminish the privacy and enjoyment of both outdoor and indoor space by existing residents.
- Overlooking and impacts on privacy
- the positioning of the properties would simply look odd and would have a detrimental impact on neighbouring properties.
- Reduction in property value
- Lack of school place provision

PLANNING POLICY

14. 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

15. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.

16. So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11) which for decision making means;

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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.

Paragraph 78

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby

Paragraph 124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities

Paragraph 127. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 130

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or

supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

Paragraph 180 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

Local Planning Policy

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

Core Strategy Policy 1 (CS1) - The Spatial Strategy

2. Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.

3. The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.

5. In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.

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.

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

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

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

_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

9. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

Core Strategy Policy 7 (CS7) - Housing Distribution and Phasing

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

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

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

Housing Sub Area Approximate number of dwellings (net)

Core Area 450 - 550

Stockton 100 - 200

5. Funding has been secured for the Tees Valley Growth Point Programme of Development and consequently the delivery of housing may be accelerated.

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

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

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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 HO3 of the adopted Stockton on Tees Local Plan

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

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

Saved Policy EN 30 of the adopted Stockton on Tees Local Plan

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

- (i) a investigation of the site has been undertaken
- (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 situ'.

Emerging Policy - Local Plan Publication Draft (September 2017)

Policy SD3 - Housing Strategy

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land.
2. To ensure all housing needs are met the following are priorities for the Council:
 - a. Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision; this includes the provision of housing to meet the needs of the ageing population and those with specific needs.
 - b. Providing accommodation that is affordable.
 - c. Providing opportunities for custom and self-build housing.
3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through:
 - a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (between A66 and Newport Bridge) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include: Boathouse lane, Queens Park North, Victoria Estate, Tees Marshalling Yard and land off Grangefield Road.
 - b. Supporting development on suitable sites (including previously developed sites) within the conurbation as defined by the limits to development (unless allocated for another purpose) which comprises the main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm.
 - c. Creating a Sustainable Urban Extension to West Stockton.
 - d. Promoting major new residential development at Wynyard leading to the area becoming a sustainable settlement containing general market housing and areas of executive housing in a high-quality environment.
 - e. Residential development in villages will be delivered through the recognition of existing commitments and new build infill development (within the limits to development) where it represents sustainable development and the land is not allocated for another purpose.

MATERIAL PLANNING CONSIDERATIONS

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

Principle of development:

19. The National Planning Policy Framework sets out the governments objectives for the planning system and in particular those for achieving sustainable development, which has three distinct elements, economic, social and environmental. The framework also includes the need to identify and meet housing needs as well as responding positively to wider opportunities for growth.

20. Section 5 – Delivering a sufficient supply of homes details the importance Government places on boosting the supply of housing. Paragraph 73 and 74 of the NPPF requires Local Authorities to demonstrate a five year supply of deliverable housing sites, with an appropriate buffer, which is established through a recently adopted plan, or in an annual position statement prepared subsequent to the adoption of a plan.
 21. The Council is progressing a Local Plan which has been submitted to the Secretary of State and is currently under examination. Whilst the Council has identified a 5 year supply as part of the evidence base for the submitted draft Local Plan, in accordance with paragraph 74 of the NPPF, it is not possible to give full weight to this until adoption of the Local Plan.
 22. As a result, the application will need to be determined in accordance with Paragraph 11 of the NPPF regarding the Presumption in Favour of Sustainable Development which for decision-taking “means approving development proposals that accord with the development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application process in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or 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”.
 23. The Framework stresses the desirability of local planning authorities having up to date development plans, whilst paragraph 213 states that policies should not be considered out of date simply because they were adopted prior to the publication of the Framework and that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, i.e. the closer the policies in the plan to those in the Framework, the greater the weight that may be given.
 24. With specific reference to rural housing, paragraph 78 of the NPPF outlines that to promote sustainable development in rural areas, housing should be located where it will enhance the vitality of rural communities. Whilst the NPPF makes it clear that isolated forms of development should be avoided, it states that where there are groups of smaller settlements then development in one village may support services in a nearby village.
 25. The area of land proposed for the new housing forms part of the curtilage of the Smiths Arms Public House and would be classed as ‘Previously developed land’ (brownfield land) in accordance with ‘Annex 2: Glossary’ of the NPPF. This states that it includes “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure
 26. The application site lies within the Limits to Development of the village of Carlton. The proposed housing is therefore considered to be in accordance with Saved Policy HO3 of the Local Plan which supports residential development within the Limits of Development and is subject to a policy criterion. Therefore, in principle the proposal is acceptable subject to the site being considered a sustainable location for new residential development and in accordance with the other provisions of policy H03.
- Sustainability:
27. The NPPF states that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
 28. Emerging Strategic Policy SD3 Housing Strategy provides a site selection hierarchy for new residential development which places sustainability at its heart. This emerging policy

prioritises sites in the order of Core area sites, the wider conurbation, adjacent to the conurbation, new sustainable settlements and then infill in village sites. Whilst noted, this is an emerging policy which can be given limited weight at this stage, although the proposal would be in accordance with this policy should the site be found to meet the tests of sustainability.

29. The application site lies within the village of Carlton and in order to establish the levels of facilities available within the Borough's rural villages and assess their sustainability, the Local Planning Authority has recently updated the Planning the Future of Rural Villages study as an evidence base for the Local Plan and is regularly updated to take into account changes to available facilities in villages. Whilst this document cannot be given significant weight it does assist in determining the sustainability of the villages.
30. The outlying villages have been grouped into tiers based on their sustainability, with tier 1 being the most sustainable and tier 4 being the least, only those villages falling within either tier 1 or 2 have been considered sustainable enough to accommodate further infill housing. Carlton Village lies within tier 2 which has a number of services and facilities located within the village and bus services to services and facilities within the conurbation. The on-going update to the document "Planning the Future of Rural Village", has shown that there does not appear to be any changes to the services and facilities available to the residents of Carlton.
31. The prospective residents of the proposed dwellings would have the same level of access to the services and facilities as those currently within the village which is acknowledged will be less than an urban area but is still at a level that has been assessed to allow the village to be classed as sustainable.
32. It is therefore considered that the proposal would be consistent with emerging policy SD3 and the broad aims of sustainability of the NPPF and that infill development within the village limits to development is consistent with saved policy H03. The proposal is in principle therefore acceptable subject to other considerations discussed in turn.

Character and appearance:

33. Policy CS3(8) requires developments to make a positive contribution to the local area, by protecting and enhancing 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 open space. Additionally paragraph 127(b) of the NPPF states that decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Furthermore, policy HO3 states that residential development should be sympathetic to the character of the locality taking account of important features within the site; it does not result in an unacceptable loss of amenity to adjacent land users; and satisfactory arrangements can be made for access and parking.
34. Concerns have been raised from neighbours in regards to the impacts on the character of the area. The character of the site would be altered from an existing grassed pub garden area to that of a residential character. It is recognised that the introduction of new dwellings here would change the immediate character of the site however, the consideration is whether or not this change in character would be harmful.
35. There are a number of similar residential developments located in close proximity to the site, notably at Poplars Lane and Willow Bridge Close. Additionally there are another two properties constructed in the rear garden area of Carlton House (approved through application 01/1243/P). The Wheelhouse and the Granary that are similarly arranged in respect of the host dwelling to the current proposal. Whilst comments from the Parish

Council in regards to infill development are noted such development is not necessarily restricted providing it can comply with other material considerations in respect of character of the area and infill development within the villages is encouraged through emerging policy SD3(e) where it represents sustainable development.

36. The Highways, Transport and Design Manager has provided comments and raises no objection on landscape grounds noting that the development site is well screened from the unnamed road joining Kirk Hill/Thorpe Road to the north and sits within the context of recent housing development of a similar nature. There will be views of the development from the existing public house and the rear of some of the properties on Poplars Lane.
37. The proposed dwellings are to be of a generally traditional appearance and include a mix of red brick and painted render elevations with clay tiled roofs. Porches, gables, and chimneys are common features throughout the village and it is considered that the properties proposed are in keeping with the general style and design of more modern properties found within the village and the overall design and appearance of the properties are considered to be in accordance with those found in the area. It is therefore not considered that the dwellings arranged in the manner proposed would be incongruous within the site, or when viewed in the context of the wider area.

Impacts on landscaping:

38. There are protected trees that lie outwith the boundary of the site at neighbouring properties on Poplars Lane and Willow Bridge Close. A tree assessment and tree protection plan has been submitted. The Highways, Transport and Design Manager comments that this appears acceptable and indicates the removal of a single tree from the development site. Requesting that a condition should be applied to ensure that works are carried out in accordance with the submitted tree protection measures and adding that some replacement tree planting is proposed within the development.
39. He advises that although the development is acceptable in principle, details of soft landscaping, should be provided and these can be secured by condition. Subject to appropriate conditions in respect of the above the proposal is considered to be acceptable in landscape terms and in respect of the impacts on protected trees and the proposal is considered to accord with CS3(8) and paragraph 127(B) of the NPPF.

Highway Impacts:

40. Core Strategy Policy 2(CS2) Sustainable Transport and Travel states that 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. Furthermore the policy states that the number of parking spaces provided for new developments will be in accordance with design standards as set out in SPD 3.
41. Concerns have been raised by neighbours in respect of highway considerations associated with the site. Including access to the site and resulting conflict between delivery vehicles, staff and pedestrians through use of a narrow substandard access, existing traffic issues within the village, close proximity of the bus stop, introduction of speed ramps, shared access with neighbouring residential properties and lack of disability access
42. The Highways Transport and Design Manager has provided comments advising that a Transport Statement (TS) has been submitted which demonstrates turning for both the proposed dwellings and service vehicles for the public house. It is accepted that deliveries to the public house are likely to take place when the car park is not in use and that this is the current arrangement. Whilst neighbours raise concerns that deliveries take place to the

front of the pub currently, if this occurs this is an existing situation which will not be affected by the proposed properties. The TS states that the proposal will result in the loss of 1 parking space for the public house which is considered to be insufficient grounds for the Highways Transport and Design Manager to object. Therefore no objections are raised.

43. In accordance with SPD3: Parking Provision for Developments 2011, 3 incurtilage car parking spaces are provided for each 4-bedroom dwelling. It is therefore considered that the proposed development will provide sufficient incurtilage car parking provision for each dwelling to be created and sufficient car parking will be retained for the public house.
44. A separate footpath will be introduced to provide a safe route for pedestrians from the new residential properties, through the car park to the front of the pub. Due to the segregated footpath it is considered that a safe walking route can be achieved for occupiers of the proposed properties that will not be in conflict with vehicle movements.
45. In respect of the access itself it is 5m wide at its narrowest point, the minimum required for emergency vehicle access is 3.7m and it is considered acceptable in this respect. The Highways Transport and Design Manager requests a construction traffic management plan condition, which can be applied to any forthcoming planning approval.
46. Neighbours have raised issues of inconsiderate parking of customers using the public house blocking access to properties. If this occurs this is an existing situation and it is not considered that the proposed application would exacerbate any on street car parking issues or the reasons set out above. The application is therefore considered to be acceptable in terms of the impacts on car parking and highway safety.

Impact on amenities of neighbours

47. There are residential properties located to the west, east and southern boundaries of the site, with the pub building located to the north. These properties are a mix of styles, generally two storey in height and detached, with a mix of detached and attached garages.

Access;

48. The design of the plots are north facing towards the pub. The access to the site will be via the existing pub access which is in close proximity to the property Lynfield. The gable end of this property is directly on to the access and there are no windows on this gable elevation. It is not considered that the vehicle movements associated with two new family dwellings would be any worse than the current situation in terms of vehicle movements to the rear of the pub through deliveries, staff parking and customer parking in association with the pub use. Consequently, it is not considered that the use of the access by vehicles associated with the two dwellings in respect of trip movements on the amenities of neighbouring properties and their garden areas would be severe.
49. The land falls gradually within the site to the south and then steeply to the development to the south of the site at Willow Bridge Close. Due to the orientation of the site the properties will be located largely towards the southern boundary of the site. Boundary screening is in place through a 1.8m high boarded fence and trees located along this boundary. The properties will be elevated from those at Willow Bridge close, however the orientation of the properties and the siting within the plots is considered to result in a satisfactory arrangement and relationship between the proposed dwellings and the neighbouring properties.

Plot 1;

50. House 1 is a two storey detached property with a ridge height of 8.6m, eaves height of 5.3m. A single attached garage is located to the west which has a ridge height of 4.8m and an eaves height of 3m. The property has a projecting gable to the rear with a ridge height

of 7.4m with an eaves of 5.3m with 4 bedrooms and bathroom at first floor and at ground floor kitchen, living and dining areas. Located towards the eastern corner of the site the property will have a back garden depth of approximately 10.5m. Whilst views of the neighbouring garden may be achievable from the upper floors windows of bedrooms 2 & 3 of this property to the rear garden area of 7 Willow Bridge Close.

51. Due to the intervening distances and orientation of the property it will largely face the gable end of the property and the attached garage of this property which sits at a splayed angle. Whilst there is a bullseye window at second floor level on the gable end of No 7, this serves an en-suite. It is not considered that the impact of plot 1 on this property in terms of privacy or overlooking would be significantly harmful to warrant refusal of the application. The property will be set back within the plot and due to the orientation it is not considered that it would be overbearing to 7 Willow bridge close. Window to window distances (side to rear) are achievable and in line with local authority standards.
 52. No windows are proposed to the eastern elevation of the proposed property which will ensure the privacy and amenity of the garden areas of residential properties to the east of Smiths Arms such as Chestnut House and Deepdale are protected and any views from upper floor windows on the north elevation would be oblique views at some distance and therefore considered acceptable.
 53. Other neighbouring properties are situated at over 20m distance and due to the intervening distances involved it is not considered that application raises any issues of amenity to other neighbours.
- Plot 2;*
54. A detached garage building for 4 & 5 Poplars Lane is located to the south west boundary of the site. This along with tree planting on the southern boundary provides screening to the residential properties beyond at Poplars lane. Plot 2 would be located approximately 8.5m from the rear boundary of its plot. However, will be over 35m away from the principle elevations of the properties 5& 6 Poplars Lane. It is therefore considered that a sufficient level of privacy and amenity can be retained for these properties due to the intervening distances and screening provided.
 55. Number 4 Poplars Lane would sit at an oblique angle to plot 2 and there would be a separation distance between the side and rear of this property of approximately 20m. This relationship is considered to be no worse than the relationship between that experienced from No 4 to Nos 6& 7 Poplars Lane.
 56. 3 Poplars Lane will be located directly west of the proposed property and whilst this property has a conservatory to the rear there are no windows proposed on the western gable of plot 2, with the attached side garage located approximately 12m from the rear elevation of this plot. It is therefore considered that a sufficient level of privacy and amenity will be retained for this property.
 57. The Councils Environmental Health Officers have no objections however have requested that conditions be placed on the development in respect of construction/demolition hours of work and this condition can be duly applied to any forthcoming approval.
 58. In order to ensure the amenity of the neighbouring properties a condition is recommended to remove the permitted development rights to ensure planning permission is required for any future extensions. In addition, due to the levels changes across the site a condition has been recommended to ensure finished site levels information is provided.

Amenity of proposed occupiers;

59. The proposed dwellings would be orientated with the principal elevations facing northwards over the pub car parking area. The only access to the properties would be through the pub car park both for vehicles and on foot. Whilst this may be a somewhat unusual arrangement it is considered that due to there being a separate, segregated footway and the plots would be fenced from the car park with appropriate lighting provided that appropriate access arrangement can be put in place for safe pedestrian access route to the properties.
60. The plots would be situated approximately 9m from the pub car park with screening provided by new tree and shrub planting. It is therefore considered that the resulting amenity levels for the proposed dwellings would be acceptable. Prospective purchasers of the properties would be fully aware of the unusual access arrangements and it is not considered that the siting of the proposal in this location would be significantly harmful to warrant refusal of the application on these grounds.
61. It is considered that the proposed dwellings would create a satisfactory levels of accommodation and outdoor amenity space, as well as privacy and amenity for the occupiers of the proposed dwellings.

Impact on the existing pub use:

62. Neighbours raise concerns that the loss of this part of the pub's capital asset is likely to undermine the economic viability of the pub business further adding that the pub frequently changes hands. The pub business would be retained through the proposal and at the officer's site visit it was found that only a small area of the site to be developed was being used in association with the pub. The rest being laid to grass with no tables or seating across the wider site.
63. Neighbours raise concerns that the resulting beer garden will not be fit for purpose and provides a poor offer in relation to neighbouring village pubs and that the loss of the space would be harmful to the operation of the business and put the pub under pressure to close.
64. The revised beer garden arrangements are not considered to be any worse than the existing situation in respect of the impacts on the amenities of neighbouring residential properties. Whilst concerns may be raised in regards to the gazebo creating a congregating space/smoking shelter smoking can take place currently within the grounds of the pub with no control of the Local Planning Authority and the proposals will not exacerbate the existing situation. The proposed beer garden arrangement, design and gazebo are considered to be acceptable in regards to the impacts on the character and amenities of the area and are considered to accord with policy CS3(8).
65. Business need and market forces are not a material planning consideration of the application. The current proposal does not involve any closure of the public house and looks to rationalise and improve the existing beer garden areas closer to the pub both to the rear and the front. To improve legibility and the appearance of these existing areas. Additionally the agent considers that the smaller beer garden will be of benefit to the amenity of existing residents in terms of noise disturbance as the numbers of people using the beer garden could be reduced as the number of people using it (especially in the evenings) would be less in contrast to the current arrangement on site.
66. The proposed development has been submitted by the owner of the public house and how they choose to operate the business in this respect is an issue for the owner.

Existing land use:

67. Whilst concerns have been raised by residents that the area of land to be developed is an important area of open space used by the community it has no designation as such. It is not disputed that the land hasn't been used for such community events in the past however It is

a privately owned site, the existing use of the area is beer garden with no landscape designation and its public use could be ceased by the owner at any time. Consequently the loss of the public use cannot be considered a material planning consideration and the site has no open space or landscape designation.

68. The agent advises that there are no future events are planned at this time, however, a new beer garden will be provided immediately to the rear of the pub building. The new beer garden, albeit in a smaller form, will continue to provide an outdoor area for the local community if they wish to hire it for private or community events.

Archaeology

69. Tees Archaeology have provided comments on the application noting that the applicant has provided an Archaeological Assessment which concludes that there is low archaeological potential within the development area. Tees Archaeology disagree with this conclusion.
70. The development area is located at the rear of a plot in the medieval village. There is potential for archaeological remains relating to agricultural activity, industrial and craft activities, and rubbish disposal. Although the site has potential to contain archaeological remains of the medieval period, the significance of the deposits is unlikely to be high and their loss would be acceptable in planning terms (NPPF (2012) para 135).
71. It would be reasonable for the planning authority to ensure that the developer records any archaeological remains that will be destroyed by the development (NPPF (2012) para 141). This would take the form of archaeological monitoring during groundworks such as topsoil stripping and foundation trenching, they therefore recommend a suitable condition which can be duly applied to any forthcoming planning approval.
72. Subject to a controlling condition it is considered that the proposal would comply with the requirements of saved policy EN30 and would be acceptable in respect of the impacts on archaeology.

Contributions;

73. Core Strategy Development Plan Policy CS11 requires residential development to contribute to Open Space, Recreation and Landscaping as well as education and other such provisions. Based on government's guidance, this is no longer suitable to apply to a development of this scale and as such no requirements have been imposed on this application.
74. Comments raised from neighbours in regards to lack of school place provision are noted however due to the nature of the proposal being for only two new dwellings, would fall beneath the government threshold for contributions and it is not considered that the proposal would have an impact on these provisions.
75. Concerns raised that there is no demand for family houses and the proposal does not represent affordable housing is not a material consideration, due to the scale of the development there is no requirement to provide affordable housing.

Flooding

76. The application site is located in flood zone 1 and therefore is not considered to raise any issues in respect of flooding and the proposals are therefore considered to be in accordance with Policy CS10.

Residual matters

77. Northern Gas Networks have commented that they have no objections to the proposed development however there may be apparatus in the area that may be at risk during

construction and therefore the applicant is required to contact them to discuss the proposal with any diversionary works fully chargeable. This can be added as an informative to the application.

78. Comments raised from the Parish Council that there is an oversupply of housing and that current houses for sale are not selling is not a material consideration of the current application.
79. Northumbrian Water have no objections to the development and a standard drainage condition can be applied.

CONCLUSION

80. In conclusion the proposal is considered acceptable and can be accommodated on the site without any unacceptable impacts on the amenity of the occupants of surrounding properties, the character of the area including trees and does not compromise highway safety and as such it is considered that the proposal is acceptable.
81. It is recommended that the application be Approved with Conditions for the reasons specified above.

Director of Economic Growth and Development
Contact Officer Fiona Bage Telephone No 01642 526271

WARD AND WARD COUNCILLORS

Ward Western Parishes
Ward Councillor(s) Councillor Andrew Stephenson

IMPLICATIONS

Financial Implications:

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
Core Strategy – 2010

Emerging

Regeneration and Environment Local Plan – Publication February 2015.

Supplementary Planning Documents

SPD3 – Parking Provision for Developments

SPD6 – Planning Obligations