

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

19 July 2019

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

17/2694/REM

Land Off Busby Way, Mount Leven, Yarm

Application for reserved matters approval (appearance, landscaping, layout and scale) for the erection of 14 dwelling houses.

Expiry Date 31 July 2019

SUMMARY

Members will be aware that Outline planning consent was granted on appeal on 19 January 2015 for 14 residential units with associated access from Busby Way (14/0807/OUT).

A Section 106 agreement accompanying the application stipulated that the proposed development should not begin until the adjacent Mount Leven development had commenced. With respect to the neighbouring Mount Leven proposal, all of the pre-commencement conditions associated with the adjacent planning approval have been discharged, the roundabout constructed and groundworks for the associated highways have begun, the development of that site has therefore commenced.

13 representation comments have been received as a result of the consultation process. A number of objections have been raised by local residents which are considered to relate mainly to the principle of development which has already been established by the granting of outline planning permission. The issues and matters raised were fully considered and addressed as part of the original outline planning permission.

As the principle of the development has been established by the outline planning permission, this application is purely concerned with the Reserved Matters details for the appearance, landscaping, layout and scale.

The proposed dwellings are two storey in height and include two affordable units to meet the requirements of the affordable housing condition of the original outline planning consent.

Landscaping is proposed both internal and external to the application site and the Council's Landscape Officer raises no objections to the proposal in this respect. The proposed dwellings are considered to have adequate separation distances between existing and proposed residential properties and the amenities of existing and future occupiers are safeguarded.

The Highways Transport and Design Manager has no objections in terms of the proposed access and manoeuvrability and each dwelling benefits from the requisite vehicular parking.

Overall it is considered that the proposed development is acceptable in terms of appearance, landscaping, layout and scale. The recommendation is to approve the application.

RECOMMENDATION

That planning application 17/2694/REM be approved subject to the following conditions and informatives:

01 **Approved Plans**

The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number	Date on Plan
1336-13-101 REV O	18 July 2019
1336-13-114 REV E	18 July 2019
2868/2 REV B	18 July 2019
H76264-D-001 K	18 July 2019
H76264-D-002 H	18 July 2019
2868/1 REV E	27 June 2019
1336-13-106	27 September 2018
1336-13-107	27 September 2018
1336-13-108	27 September 2018
1336-13-109	27 September 2018
1336-13-102	27 September 2018
1336-13-103	27 September 2018
1336-13-104	27 September 2018
1336-13-105	27 September 2018
1336-13-110	27 September 2018
1336-13-111	27 September 2018

Reason: To define the consent.

02 **Materials**

Notwithstanding the submitted details in the application, the external walls and roofs shall not be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the hereby approved dwellings have been approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved detail.

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

03 **Soft Landscaping**

The proposed development shall be carried out in accordance with the submitted and approved detailed landscape proposals plan 2868/1 Rev E. The works shall be carried out within the first planting season following the completion of the development. Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season.

Reason: To ensure satisfactory landscaping to provide satisfactory appearance of the application site in the interests of visual amenity of the surrounding area.

04 **Means of Enclosure**

Notwithstanding those details submitted as part of this application, the means of enclosure associated with the development hereby approved shall be in accordance with a scheme to

be agreed with the Local Planning Authority before such fencing is erected. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.

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

05 Hard Landscaping

Notwithstanding any description contained within this application, prior to the first 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.

06 Highway Protection from Root Damage

No development shall take place until full details have been provided and agreed in writing by the Local Planning Authority of the measures to be implemented to protect the highway from future root damage.

Reason: To protect the highway from root damage.

07 Lighting

Full details of all street lighting for the development along with the siting, colour and luminance levels shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. The lighting shall be installed in accordance with the agreed details and be in place prior to the first occupation of the corresponding phase of the development.

Reason: To avoid light pollution in the interests of the visual amenities of the area.

08 Drainage Strategy

Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Strategy" dated "February 2018". The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 6301 and ensure that surface water discharges to the surface water sewer at manhole 6303. The surface water discharge rate shall not exceed the available capacity of 5.0 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

09 Construction Management Plan

No development shall commence until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. on site routing of all HGVs movements
- v. Control of dust emissions including wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.

Reason: In the interests of the occupiers of adjacent and nearby premises

10 Hours of Construction Activity

No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

11 Removal of PD Rights - All Householder

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: 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.

Informative: Section 278 Agreement

Commitment by the applicant to enter into a Section 278 Agreement for the alterations to the highway on Busby Way.

BACKGROUND

1. Outline planning consent was granted on appeal on 19 January 2015 for 14 residential units with associated access from Busby Way (14/0807/OUT). A Section 106 agreement accompanying the application stipulated that the proposed development should not commence until the adjacent Mount Leven development had commenced. With respect to the neighbouring Mount Leven proposal, all of the pre-commencement conditions associated with the adjacent planning approval have now been discharged and development of that site has begun following a series of groundworks for the roadways and the construction of the roundabout serving the site.

SITE AND SURROUNDINGS

2. The application site is located at the southern end of the borough, adjacent to the eastern side of Yarm's urban edge. The site consists of a residential dwelling and its associated curtilage and an adjacent paddock area which is part of a wider swathe of open rolling agricultural land which forms the Leven Valley and which allows views between Yarm and Ingleby Barwick on the opposing side of the valley.
3. There is a small stable block within the paddock and a steel sheet building exists within the adjacent field. The paddock has no notable landscaping within it. Residential gardens are adjacent to the western site boundary which has a mix of hedges and fences forming the boundary with the paddock. A semi mature planting buffer exists to the south of the site which runs along the side of existing properties. Open fields currently lie to the north, east and south of the site although the approved Mount Leven Scheme (retirement village and care home) would surround the site once developed.

PROPOSAL

4. Planning consent is sought through a reserved matters application for the erection of 14 detached dwellings. The proposed dwellings would be two storey in scale and would consist of a mix of three, four and five bedroomed properties. In accordance with the outline planning approval, 15% affordable housing would also be provided. For the avoidance of any doubt this reserved matters application is assessed solely on the basis of its appearance, landscaping, layout, and scale which are the outstanding matters to be considered following the previous outline approval at the site.

CONSULTATIONS

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

Highways Transport & Design Manager

General Summary

The Highways Transport and Design Manager raises no objections to the Reserved Matters application, but recommends that a number of conditions be applied as outlined below.

Highways Comments

This is a Reserved Matters application for the erection of 14 dwelling houses. The principle for the provision of housing on the site have previously been established through outline planning application 14/0807/OUT. All developments should be designed and constructed in accordance with the Design Guide and Specification (current edition) and SPD3: Parking Provision for Developments 2011.

Vehicle Access

Whilst the principle of access was considered as a part of the outline planning application 14/0807/OUT, which was outline with associated access from Busby Way, the conditions recommended in the appeal decision (APP/H0738/A/14/2226575) included a requirement for the details of the access arrangements to be submitted and agreed.

The proposed access, which is shown on drawing H76264-D-002 Rev E, would extend Busby Way and result in the creation of a T junction with the road that provides access in-between properties 2 and 16 Busby Way. In order to ensure users of Busby Way are aware of the changes in traffic priorities road markings are to be introduced.

Whilst the access proposals are acceptable in principle, the detailed design of the layout would have to be undertaken to the satisfaction of the Highway Authority and agreed as part of a Section 278 Agreement. All costs of the highway works would have to be met by the applicant.

Layout/Parking

The applicant has submitted a proposed site layout, as shown on drawing 1336-13-101 Rev J, which is broadly in accordance with the Councils the Design Guide and Specification (current edition) and the approved master plan, drawing ALA223L01 Rev PL1.

Car parking has been provided in accordance with SPD3: Parking Provision for Developments 2011 and tracking drawings have been submitted which demonstrates that the proposed turning head, within the development, is suitable for a refuse vehicle.

A raised table has also been provided on the initial section of the site access road to allow pedestrians to cross safely to the northern footpath.

The proposed layout, as shown on drawing 1336-13-101 Rev J, is therefore considered to be acceptable.

Landscape & Visual Comments

There are no landscape and visual objections to the proposals. Full details of hard landscaping, boundary treatments and measures to protect the carriageway from tree root damage will be required. Conditions should include;

Landscaping Hardworks

Means of Enclosure

Scheme for Illumination

Implementation of Tree Protection Measures

Flood Risk Management

The applicant has provided sufficient information to satisfy the Lead Local Flood Authority that a surface water management solution can be provided for this development. The site should be developed in accordance with the submitted Drainage Strategy dated 26/09/18 drawing no H76264-D-001 Rev G. The detail design has been secured by condition on the original application 14/0807/OUT.

Environmental Health Unit

I have reviewed historical information held by this Local Authority in relation to Land Quality and the Preliminary Contaminated Risk Assessment report submitted by the applicant.

I would advise that the following conditions be imposed prior to any development at this site.

Unexpected Land Contamination Condition
Construction/ Demolition Noise
Dust Emissions

Cleveland Police

With regard to the formal planning application ref 17/2694/REM. I recommend that the applicant actively seeks to achieve Secured By Design accreditation for the proposed 14 new dwellings development on land off Busby Way, Mount Leven, Yarm. I would encourage Mr Moore to make contact with me at the earliest opportunity for any crime prevention/designing out crime input/advice I might be able to offer. Further information on the police designing out crime initiative and our contact details, is available at www.securedbydesign.com

I would, at this stage mention that developers should ensure that the security of a development is not compromised by excessive permeability and that adequate lighting be installed for all areas of the development, including all non- adopted highways, eg. shared surfaces, shared drives.

Northumbrian Water Limited

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

Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Drainage Strategy". In this document it states that the foul water shall discharge to manhole 6301, whilst surface water shall discharge to manhole 6303 which will be restricted to discharge at 5 l/sec. We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

Condition: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Strategy" dated "February 2018". The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 6301 and ensure that surface water discharges to the surface water sewer at manhole 6303. The surface water discharge rate shall not exceed the available capacity of 5.0 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

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

Tees Archaeology

Thank you for the consultation on this application. This site has previously been subject to archaeological evaluation and no further investigation is required.

The Ward and Parish Council, SBC Housing Services Manager, SBC Private Sector Housing, Spatial Planning & Regeneration, SBC Waste Management, School Place Planning, the Campaign To Protection Rural England, Friends Of Tees Heritage Park, Tees Valley Wildlife Trust and National Grid were all consulted and no comments were received.

Neighbouring properties were notified via letter, whilst additional publicity was given to the application by a site notice and press advert. A total of 14 letters of objection have been received. The names and addresses and a summary of the contributors comments are set out below:-

PUBLICITY

6. Neighbours were notified and a list of contributors and a summary of the comments received are detailed below. Contributors full comments can be viewed by following the link attached below.

<https://www.developmentmanagement.stockton.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

List of Contributors

1. Mr Geoffrey Mundy 28 Crosswell Park Ingleby Barwick
2. Mrs Christine Mundy 28 Crosswell Park Ingleby Barwick
3. Mr Malcolm Robinson 60 Mount Leven Road Yarm
4. Mr Michael Brazell 16 Braeworth Close Yarm
5. Mrs Paula Cousin 14 Battersby Close Yarm
6. Mr Thomas Dunn 20 Battersby Close Yarm
7. Marion Pryce 19 Battersby Close Yarm
8. Mr & Mrs Moorhouse 11 Braeworth Close Yarm
9. Mr Andrew Wortley 43 Glaisdale Road Yarm
10. Mr Derek Copeland 21 Glaisdale Road Yarm
11. Mr Ross cousin 14 Battersby Close Yarm
12. Mrs Valerie Robinson 60 Mount Leven Road Yarm
13. Mrs Janice Graham 10 Battersby Close Yarm

Summary of comments received

Residents have raised the matter that commencement should only follow the start of Mount Leven development site. Concerns have been raised that the proposed development would encroach into Green Wedge and Tees Heritage Park and damage to a wildlife corridor. The scale of the proposed two storey development located on high ground has raised concerns with suggestions that the scale of the development should be reduced to single storey and that the proposed screening would be insufficient mitigation. Residents have suggested that the proposal would be a dangerous traffic route and access, which is also close to a school/construction traffic. Residents have pointed out that a drainage pipe runs through the site. The lack of need for executive style housing. Impact on the amenity of neighbouring properties given the close proximity of the houses. Impact of the proposed access on the neighbouring bungalows. Comments that a lack of consultation. Comments compared the site to a similar development was refused at the Yarm Riding Centre.

PLANNING POLICY

7. 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 January 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

8. 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.
9. 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-date, 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.

Local Planning Policy

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

Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work

proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,

- Specific policies in that Framework indicate that development should be restricted.

Policy SD2 – Strategic Development Needs

1. The following strategic growth needs have been identified for the period 2017/18 to 2031/32, which will be met through new sustainable development and infrastructure provision that integrates positively with the natural, built and historic environment of the Borough.

Housing

2. To meet the housing requirement of 10,150 new homes over the plan period a minimum of:

a. 720 dwellings (net) will be delivered per annum from 2017/18 to 2021/22.

b. 655 dwellings (net) will be delivered per annum from 2022/23 to 2031/32.

Strategic Development Strategy Policy 3 (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. Should it become apparent that a five year supply of deliverable housing land cannot be identified at any point within the plan period, or delivery is consistently falling below the housing requirement, the Council will work with landowners, the development industry and relevant stakeholders and take appropriate action in seeking to address any shortfall.

2. 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, self-build and small and medium sized house builders.

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 (as identified on the Policies Map) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include:

Queens Park North, Victoria Estate, Tees Marshalling Yard and Land off Grangefield Road

b. Supporting residential development on sites within the conurbation as defined by the limits to development 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. Supporting residential development in villages (as shown on the Policies Map) through the recognition of existing commitments and new build within the limits to development where the land is not allocated for another purpose.

Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:

a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.

b) Protecting and enhancing designated sites (including the Teesmouth and Cleveland Coast Special Protection Area and Ramsar) and other existing resources alongside the provision of new resources.

c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.

d) Enhancing woodlands and supporting the increase of tree cover where appropriate.

e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.

f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.

g) Directing appropriate new development within the countryside towards existing underused buildings on a site for re-use or conversion in the first instance. Only where it has been demonstrated to the satisfaction of the local planning authority that existing underused buildings would not be appropriate for the intended use should new buildings be considered.

h) Supporting the conversion and re-use of buildings in the countryside where it provides development identified within Policies SD3 and SD4, and meets the following criteria:

i. The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding;

ii. Any alterations or extensions are limited in scale;

iii. The proposed use does not result in the fragmentation and/or severance of an agricultural land holding creating a non-viable agricultural unit; and

iv. Any associated outbuildings/structures are of an appropriate design and scale.

i) Considering development proposals within green wedges against Policy ENV6.

j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.

k) Supporting proposals within the Tees Heritage Park which seek to increase access, promote the area as a leisure and recreation destination, improve the natural environment and landscape character, protect and enhance cultural and historic assets, and, promote understanding and community involvement.

l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.

m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:

a. Directing development in accordance with Policies SD3 and SD4.

b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.

c. Supporting sustainable water management within development proposals.

- d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.
- e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.
- f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.
- g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.
- h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.

3. Conserve and enhance the historic environment through a variety of methods including:

- a. Celebrating, promoting and enabling access, where appropriate, to the historic environment.
- b. Ensuring monitoring of the historic environment is regularly undertaken.
- c. Intervening to enhance the historic environment especially where heritage assets are identified as being at risk.
- d. Supporting proposals which positively respond to and enhance heritage assets.
- e. Recognising the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution.

4. Priorities for interventions to conserve and enhance the historic environment include the conservation areas of Stockton and Yarm, assets associated with the route of the Stockton & Darlington railway of 1825, the branch line to Yarm and associated structures, and assets identified as being at risk. These assets, along with Preston Park, are also the priorities for celebrating the historic environment.

Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
- b. Landscape character of the area, including the contribution made by existing trees and landscaping;
- e. Privacy and amenity of all existing and future occupants of land and buildings;
- g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
- h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.

2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

MATERIAL PLANNING CONSIDERATIONS

11. The main planning considerations of this application are the principle of development, the impact on the character of the surrounding area, the impact on the amenity of the existing and future occupiers and highway safety matters amongst other material planning considerations as detailed below.

Principle of Development

12. As detailed within the background to this application, outline planning permission was previously granted for 14 residential units by planning appeal on 19 January 2015 and therefore the principle of development has been established.

13. Through the consultation process, objection comments have been received raising concerns in relation to matters such as the need for further housing; the impact of the development on the Green Wedge and Tees Heritage Park; the demolition of a perfectly good house in order to create the site access; the degree of associated traffic; as well as, the impact on wildlife. Whilst these concerns are noted, such matters were considered at the time of the outline planning application and relate to the principle of the development, and cannot therefore be challenged or reconsidered as part of this reserved matters application. As detailed within the background section above, the neighbouring Mount Leven development has discharged all associated pre-commencement conditions and development has commenced at that site and therefore this application is no longer reliant on the progress of the neighbouring site and the principle of development is acceptable subject to the material considerations as detailed below.

Impact on the Character of the Surrounding Area

14. Planning Policy SD8 states that the Council will seek new development to be designed to the highest possible standards, taking into consideration the context of the surrounding area and the need to respond positively to the character and sensitivity of the surrounding buildings.
15. The proposed development would provide 14 two storey dwellings within an area of open paddock to the east of Battersby Close and Busby Way. The application site is made up of undulating land with the highest point at the most northern part of the site with the lower area located to the south-east.
16. The existing residential properties along the eastern edge of Busby Way and Battersby Close (west) are a mix of two storey and single storey dwellings. At the most northern aspect of the application site, the residential properties that bound the application site are made up of residential bungalows.
17. The proposed two storey dwellings at the highest part of the site would have an approximate 18 metre distance from the existing bungalow properties to the west. The ground levels at this part of the application site is proposed to be lowered and between the existing and proposed properties, there would be a landscaping buffer installed.
18. Through the application process, the applicant submitted a sectional drawing to illustrate the proposed relationship between the existing properties and the proposed dwellings. The Council's Landscape Officer has considered the relationship between the existing and proposed dwellings, taking account of the distances, the changes in levels and the proposed landscaping buffer and considers the proposed relationship not to appear at odds with the overall landscape of the area.
19. The application site would be located between village 4 and village 7 of the extant Mount Leven development site, which is to be built to the south and to the north-east of the application site. The neighbouring extant Mount Leven development will feature a landscape buffer to the south and east of the application site, which will provide additional screening from those developments and from Tees Heritage Park to the east, which is considered to be to the benefit of the proposed scheme.
20. Details of the proposed landscaping scheme and proposed boundary enclosures have been submitted and the Council's Landscape Officer considers these details acceptable although internal boundary treatments have not been submitted and a condition is recommended in this respect. A condition of the Outline planning approval requires a suitable long term maintenance scheme to be submitted to the Local Planning Authority. Through the application process a five year management plan has been submitted and the Council's Landscape section are satisfied with the Landscape Management plan.
21. Taking account of the relationship with the existing residential properties and the extant residential development surrounding the application site, with the mitigation measures as

proposed, the proposed development is considered not to be out of keeping with the surroundings and is considered to be acceptable in terms of its impact on the character of the surrounding area.

Amenity of Neighbouring Properties

22. Planning Policy SD8 also seeks to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings.
23. Externally to the west, the existing residential properties located on Battersby Close and Busy Way would be at sufficient distances to comply with the Council's adopted guidance with the nearest neighbouring property of 21 Battersby Close being approximately 18 metres from the side elevation of the proposed dwelling to the east. At the most western part of the site, adjacent to the rear of 21 Battersby Close would be two detached garages at a distance of approximately 14 metres from the main rear elevation of the existing property to the west. A landscaping buffer would be provided to the fringes of the development. Whilst such planting would take time to establish and screen the development, the separation distances between the existing and proposed dwellings and outbuildings are considered to be sufficient to preserve acceptable levels of residential amenity for existing and future residents.
24. Internally the separation distances and relationship from the main elevations of the proposed dwellings have sufficient separation between them and meet with the Council minimum separation distances between habitable rooms of 21 metres or between habitable rooms to blank elevations of 11 metres. The proposed dwellings would also allow for amenity space to the front and rear of the properties.
25. The access into the site would be provided by demolishing the existing two storey property located within the cul-de-sac of Busby Way. Either side of the proposed access are the properties of 22 Battersby Close and 16 Busby Way. 16 Busby Way is currently screened by an approximately 1.8 metre close boarded fence to the side and 22 Battersby Way features a close boarded fence and dense hedge planting between the proposed access point. It is considered that the relationship with the proposed access point and the neighbouring properties either side would not result in any significant loss of amenity for the neighbouring properties either side.
26. In terms of the short-medium environment impacts such as dust, noise and general disturbance during any associated construction period, a number of conditions are recommended should the development be approved and it is considered that such issues would not justify the refusal of the planning application on these grounds.
27. With respect to the relationship between the existing and proposed dwellings and the associated impacts of the proposed development, it is considered that satisfactory levels of residential amenity would be provided and in view of these considerations the proposed development would not have such a significant impact on residential amenity that it would justify a refusal of the application on these grounds.

Highway Safety Matters

28. Whilst a number of objectors raise concerns with regards to the access and the pressure on the highway network, such matters were considered acceptable by the Planning Inspectorate at the outline stage and cannot be reconsidered at reserved matters.
29. The principle of the access was established through the approved outline planning application. The latest submitted access drawing is consistent with the approved access and meets the required highway standards. Vehicular parking is provided in accordance with the adopted SPD3 Parking guidance and the tracking data demonstrates that the turning head is suitable for the manoeuvring of refuse vehicles. In terms of pedestrian safety, a raised table is provided to aid pedestrians to safely cross the at the point of access to the site. The applicant would

need to enter into a section 278 agreement for the access to meet the highways standard and an informative is recommended. The Highways Transport and Design Manager therefore considers the proposal to be acceptable in terms of Highway and pedestrian safety and the proposal is acceptable in this respect.

Surface Water Management

30. As part of the outline planning approval a planning condition was imposed to secure a scheme for surface water drainage. As part of the Reserved Matters submission, a drainage strategy has been provided to demonstrate that a drainage solution can be achieved and the Council's Flood Risk Engineers are satisfied that the surface water run-off can be accommodated through the surface water sewer and attenuation storage tank indicated. The condition of the outline planning consent is still required to be satisfied/. Northumbrian Water have also commented that the drainage concept plan is acceptable subject to the restricted to discharge rate of 5 l/sec as set out within the submitted drainage strategy. Subject to the necessary condition to secure these details from Northumbrian Water and subject to the outline condition being satisfied, the proposal is considered to be acceptable in terms of surface water management.

Protected Species

31. Objection comments have been received in relation to the impact on ecology. During the determination of the outline planning application, ecological reports were submitted detailing that the site has a low ecological value. The Planning Inspector imposed two planning conditions on the outline decision notice in relation to the submission of a bat survey prior to demolition of the dwelling and outbuilding and for no landscape removal and building demolition be carried out, outside of the bird breeding season. These conditions remain as part of the outline planning application and will need to be complied with through the discharge of conditions. Subject to the outstanding conditions, the proposal is therefore considered not to have any impacts on protected species over and above those established as part of the outline planning application.

Crime and Antisocial-behaviour

32. Section 17 of the Crime and Disorder Act 1998 places a duty on the Council to deliver safer, more secure communities and places a duty on them to do all they can to reasonably prevent crime, disorder and anti-social behaviour in their area. The Police's Architectural Liaison Officer has considered the application and has raised no significant concerns with regard the proposed layout although has recommended that the applicant contact the Architectural Liaison Officer to consider achieving secure by design accreditation in order to design out crime.

Residual Matters

33. Whilst comparisons have been made with a refused application at Yarm Riding Centre, each application is assessed on its own merits and an assessment of the impact of the proposal on the character of the area has been detailed within the report.

34. Residents have raised concerns that a drainage pipeline runs across the application site. Northumbrian Water have been consulted and have raised no objections to the proposed development.

35. Comments have been made regarding a lack of public consultation. It is considered that sufficient publicity has been given to the planning application through neighbour letters, a site notice and press advert.

CONCLUSION

36. In view of the above considerations including representations on the planning merits of the proposal, the principle of residential development for 14 units on the site has been established through the outline planning consent approved in January 2015.

37. This Reserved Matters application provides the details for the development and in terms of the, layout of the development, appearance of the proposed dwellings and building and the associated landscaping. Such details are considered to be satisfactory and would not have any significant adverse impacts on the residential amenity of neighbouring occupiers as well as provide appropriate levels of amenity for future residents of the development. The access arrangements are considered acceptable and sufficient in curtilage parking is provided and the proposed development is therefore considered to be acceptable in planning terms.

Director of Economic Growth and Development
Contact Officer Kieran Campbell Telephone No 01642 528551

WARD AND WARD COUNCILLORS

Ward	Yarm
Ward Councillor	Councillor Tony Hampton
Ward Councillor	Councillor Julia Whitehill
Ward Councillor	Councillor Andrew Sherris

IMPLICATIONS

Financial Implications: n/a

Legal Implications: n/a

Environmental Implications: n/a

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

The National Planning Policy Framework
Stockton-On-Tees Local Plan (Adopted 30 January 2019)