

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
31st July 2019
REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT
SERVICES**

18/2696/FUL

Thorpe Beck Farm, Durham Road, Thorpe Thewles.

Application for the erection of 31 dwellings with associated means of access, parking, landscaping and open space.

Expiry Date 2 August 2019

SUMMARY

The application site is located to the south-east of existing residential properties within Thorpe Thewles Village, with Durham Road (running north-south) immediately to the west. To the east of the site lies the former Castle Eden railway line, now a walkway. The residential properties of Wynyard Court and Durham Road lie to the north with the Hamilton Russell Public House to the north-west, these sit in an elevated position from the application site.

The site itself is broadly triangular with a large hedgerow on the western boundary. It is set on slightly lower ground than Durham Road and generally follows the topography of the area sloping from north to south.

Planning consent is sought for a residential development of up to 31 dwellings, including 6 affordable homes.

A total of 8 objection letters have been received. The main objections to the proposal are the increase in numbers, sustainability within Thorpe Thewles; impact on highway safety; and that the proposal would adversely affect the character of the village.

The site is allocated for housing in the local plan and has an outline approval for 24 houses and therefore the principle of development has been established. All other matters are considered to be acceptable and there are no sustainable planning reasons to refuse the application.

In view of the planning merits of the case, the proposal is therefore considered to be acceptable and is recommended for approval subject to the recommendation below;

RECOMMENDATION

That planning application 18/2696/FUL be approved subject to the following conditions and informatives and subject to a Section 106 agreement as detailed below;

01 Time Limit

The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

02 Approved Plans

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

Plan Reference Number	Date on Plan
SBC0006A	9 July 2019
SBC001A	9 July 2019
SBC0012A	9 July 2019
SBC0003A	9 July 2019
SBC0002A	9 July 2019
SBC0010A	9 July 2019
SBC0007A	9 July 2019
SBC0005A	9 July 2019
SBC0004A	9 July 2019
SBC0013	20 November 2018
SBC0014	20 November 2018
002 REV Q	9 July 2019
003 REV H	18 July 2019
101	9 July 2019
100	9 July 2019

Reason: To define the consent.

03. Materials

Prior to the completion of the foundations of the hereby approved development, details of the materials to be used in the construction of the external walls and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

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

04. Landscaping

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 Protection of Highway Verge

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

Reason: To protect the highway from root damage.

06 Landscaping Management Plan

No development shall commence until full details of proposed soft landscape management has been submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic gardens, and shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plan prior to the occupation of the development or approved phases.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local Planning Authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season.

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

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

07 Protection of the Ecological Buffer

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no development shall commence until a plan of fencing to protect the ecological buffer during construction has been agreed and approved in writing by the Local Planning Authority. Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

Reason: To protect the ecological buffer area on the site that the Local Planning Authority considers to provide important ecological value in the locality.

08 Entrance to Castle Eden Walkway

Notwithstanding the submitted information, no development shall commence until a detailed scheme for a pedestrian linkage to the Castle Eden Walkway has been submitted to and been agreed in writing with the Local Planning Authority. Such a scheme shall allow for a suitable pedestrian route and appropriate connections to the existing route; route signage; entrance features; and, a specific timetable (including any phasing) for the agreed works. The agreed scheme shall be implemented in full accordance with those agreed details.

Reason: To ensure satisfactory provision is made to pedestrian routes and entrance features in the interests of the visual amenity of the area and recreation value of the Castle Eden Walkway.

09 Ecological mitigation;

All ecological mitigation measures shall be carried out in accordance with the submitted ecological appraisal & bat survey report prepared by QUANTS environmental Ltd unless updated by the addendum prepared by Naturally Wild.

Reason: To conserve protected species and their habitat

10 Ecology Survey

If work does not commence within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing on site a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted and approved in writing by the local planning authority and identify any additional or revised mitigation measures required

Reason: To conserve protected species and their habitat where necessary

11 Site and floor levels;

Notwithstanding the information submitted details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with these approved details.

Reason: To define the consent

12 10% Renewable energy requirement;

Prior to the commencement of development an 'Energy Statement' detailing the predicted energy consumption and associated CO2 emissions of the development shall be submitted and approved in writing by the local planning authority. The report shall demonstrate how:

- a. The energy hierarchy has been applied to the development
- b. A minimum 10% reduction in CO2 emissions from the development, over and above current Building Regulations Part L requirements, will be achieved
- c. A minimum of 10% of the total predicted energy requirements of the development will be generated from renewable energy sources, but only if it is demonstrated that the 10% reduction in CO2 emissions cannot be achieved
- d. The feasibility of, and connection to, decentralised energy networks for heat and power has been investigated

The development shall be carried out in accordance with these approved details and be maintained in perpetuity thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of promoting sustainable development in accordance with the requirements of Stockton on Tees Policy and government guidance within the NPPF on climate change.

13 Sustainable Surface Water Drainage

The development hereby approved shall not be commenced on site, until a scheme for 'the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, the scheme shall include but not be restricted to providing the following details;

- a) Detailed design of the surface water management system;
- b) A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- c) A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- d) Details of adoption responsibilities.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

14 Surface water management

The buildings hereby approved shall not be brought into use until:-

- a) Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve
- b) As built drawings of all Suds features have been submitted and approved in writing by the Local Planning Authority, the drawings should highlight all site levels, including the 30year and 100year+cc flood levels and confirmation of storage capacity

- c) A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development

Reason: To reduce flood risk and ensure satisfactory long term maintenance are in place for the lifetime of the development.

15 Site construction access

No development shall take place (except for the purposes of constructing the initial site access) until that part of the access extending 15 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the Councils Design Guide and Specification.

Reason: In the interests of highway safety.

16 Construction Management Plan;

No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:

- (i) the site construction access(es)
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- (vi) measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site;
- (vii) measures to control and monitor the emission of dust and dirt during construction;
- (viii) a Site Waste Management Plan;
- (ix) details of the routing of associated HGVs;
- (x) measures to protect existing footpaths and verges; and a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and visual amenity.

17 Land contamination

Potential risks as identified in the submitted Phase 2 Plan should be further investigated and completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwater and surface waters, ecological systems, archeological sites and ancient monuments;
- an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that contamination is adequately addressed to prevent risk to human health and controlled waters

18 Possible contamination from an old landfill site ' gas emissions

Prior to the development commencing, further gas monitoring should be undertaken in accordance and results provided together with a gas risk assessment report with recommendations for gas protection measures for the proposed new structures. The NHBC (March 2007) requires at least six ground gas-monitoring rounds over a three-month period. The report should be submitted in writing to the local authority and approved prior to work commencing. The site investigation and risk assessment report shall be carried out in accordance with Guidance on Evaluation of Development proposals on sites where methane and carbon dioxide are present [NHBC March 2007] and CIRIA document C659. The monitoring wells should be protected from damage during re-development works such as site clearance or demolition in order to verify the results obtained upon completion of the works.

Reason: To ensure that contamination is adequately addressed to prevent risk to human health and controlled waters

19 Submission of land contamination Remediation Scheme

Before work commences on eh approved development, a remediation scheme shall be submitted and approved in writing by the local planning authority and must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development (other than that required to carry out remediation) unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure that contamination is adequately addressed to prevent risk to human health and controlled waters

20 Implementation of Approved Remediation Scheme and Verification Report.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. The verification report shall include results of sampling and monitoring carried out in accordance with the approved remediation plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reasons: To validate that the remediation works has been undertaken and demonstrates that the risks posed to human health have been identified and reduced to an acceptable level.

21 Lighting

Prior to the commencement of development full details of the method of external LED illumination including the siting; angle of alignment; light colour; and luminance of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenity of adjoining residents; highway Safety; and protection of sensitive wildlife habitats in order to comply with the NPPF and Policies SD8 and ENV5 of the Local Plan 2019.

22 Unexpected land contamination

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

Reason: Contamination may exist at the site which may pose a risk to human health and controlled waters

23 Internet Connectivity

Open access ducting to facilitate fibre and internet connectivity shall be provided from the homes to the public highway

Reason: To ensure that infrastructure is provided to facilitate fibre connections to all new development in accordance with Policy TI3 of the Stockton on Tees Local plan.

24 Construction activity;

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

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

25 Permitted Development Rights

Notwithstanding the provisions of Classes A, B, C, and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (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 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the local planning authority can exercise further control in this locality in the interests of the residential amenities of the area and to ensure the landscape and buffer zones are fully considered before development.

26 Open Plan

Notwithstanding the provisions of class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) and unless shown on approved plan 454-003-H dated 18th July 2019, there shall be no walls, fences, railings or other form of boundary enclosures erected between any point taken in line with the properties front elevation and the highway unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the local planning authority can exercise further control in this locality in the interests of the visual amenities of the area.

27 Garage Conversions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order) no integral garages or detached garages shall be converted into part of the house or used as ancillary domestic accommodation without the prior written consent of the local planning authority.

Reason: To ensure that adequate garaging and parking spaces are made available.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

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

Informative: Northumbrian Water

Public sewers cross the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. NWA will work with the developer to establish the exact location of assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. Further information is available at <https://www.nwl.co.uk/developers.aspx>.

HEADS OF TERMS

The applicant will be required to enter into a section 106 agreement to cover the following aspects;

- Contribution towards primary and secondary education
- Contribution of £110,528.70 for off-site open space
- Local Labour agreement
- Agreement to pay costs in relation to works and the Traffic Regulation Order to extend the 30mph speed limit along Durham Road, Thorpe Thewles
- Affordable Housing

BACKGROUND

- 01 Over recent years, planning permission has been sought on a number of occasions for residential development on the site dating back to the 1970's. Over twenty years ago (late 1980's, early 1990's), an application for the erection of 14 dwellings was submitted, refused by the Local Planning Authority and dismissed on appeal (ref; S2427/89).
- 02 This was followed by an application for five executive dwellings on the northern part of the site (ref: 91/2159/P). The application was refused due to; being located beyond the Thorpe Thewles village boundary; being obtrusive in the open countryside and from views from the Castle Eden Walkway; and, adversely affecting the character and amenity of the area. An appeal was subsequently lodged and that was dismissed due to the adverse impact on the character of the area and open countryside.
- 03 A further outline application for a dwelling, ancillary stables and retail shop (ref; 97/0828/P) was also submitted but withdrawn. A number of years later, another outline application for the erection of 42no dwelling houses (ref; 03/2107/OUT) was submitted, although this was again withdrawn.
- 04 Planning permission for a change of use from agricultural land to a 60m x 20m all-weather horse arena in the north eastern part of the site was granted (09/0333/COU).
- 05 In terms of the current status of the land, outline planning permission with some matters reserved for the erection of up to 24 dwellings and upgrading of site access and public open space (demolition of existing building) was approved subject to a Section 106 on 22nd December 2017 (Application : 16/3211/OUT). This scheme included the provision of 15% affordable housing (4 dwellings).

SITE AND SURROUNDINGS

- 06 The application site is located to the south-east of the existing residential properties within Thorpe Thewles Village, with the Durham Road (running north-south) immediately to the

west. To the east of the site lies the former Castle Eden railway line, which is now a walkway. This has a steep embankment and dense mature tree planting along it.

- 07 The residential properties of Wynyard Court lie immediately to the north, along with the residential properties of Durham Road. The Hamilton Russell Public House is situated to the north west, while the eastern site edge is bounded by the Castle Eden Walkway and Wynyard Woodland Park Local Wildlife Site, which comprises a footpath route following an old railway line. Beyond that lies the A177 linking Stockton with Sedgfield. Given the change in gradients, these properties are situated on a higher level as the land slopes down from Thorpe Thewles village.
- 08 The site itself is broadly triangular and formally contained a mixture of agricultural type structures which have now been demolished and the site cleared.. It is set on slightly lower ground than Durham Road and generally follows the topography of the area sloping from north to south. An existing large hedgerow is located on the western boundary of the site.

PROPOSAL

- 09 Full planning permission is sought for the erection 31 dwellings including 6 affordable homes. The proposed development includes a mix of 2, 3 and 4 bed homes, both detached and semi-detached.
- 10 The proposal will include a SUDs scheme on the adjacent site which is within the ownership of the applicant. Access to the site will be from Durham Road

CONSULTATIONS

- 11 The following Consultations were notified and any comments received are set out below:-
- 12 Highways Transport & Design Manager
Highways Comments - All developments should be designed and constructed in accordance with SPD3: Parking Provision for Developments 2011(SPD3) and the SBC Design Guide and Specification (current edition).
The principle of development on this site has been established with permission 16/3211/OUT; while this proposal is for an additional 7 dwellings it is considered that this would not constitute a material impact on the highway network.
A plan, drawing reference 454:002 Rev Q, showing the proposed site access arrangements and internal layout has been submitted in support of the application. The proposed site access has been moved further to the east, when compared to the access approved under application 16/3211/OUT however, this is still considered to be acceptable as suitable visibility splays can be achieved.
In order facilitate an extension to the existing 30mph speed limit and to provide pedestrian connectivity from the site to the village a footway, including street lighting, will be provided from the site access to the existing footway adjacent to 2 Durham Road. These works will be subject to detailed design and secured via a s278 Agreement. By moving the site access a much simpler, and therefore better, site layout has been achieved and all of the proposed dwellings meet the required car parking standards as set out in SPD3: Parking Provision for Developments 2011. In order to minimise the impact of the proposed development, during the construction phase, a Construction Traffic management Plan should be secured by condition. There are no highways objections to the proposals.
Landscape and Visual Comments - The development now for 31 dwellings is located on the south eastern edge of Thorpe Thewles village outside the limits to development, on a triangular plot of land currently used for equestrian purposes. The site currently has outline permission for up to 24 dwellings (ref: 16/3211/OUT). There were a number sheds used as stables and a riding arena occupying the site as well as associated areas of hard standing. The eastern site edge is bounded by part of the Wynyard Woodland Park Local Wildlife Site,

which comprises a footpath route along the old railway line, passing the site on a wooded embankment. To the north west of the site lie the large detached residential properties in Wynyard Court, which are in an elevated position in relation to the site. The western site boundary is formed by a tall, dense hawthorn mix hedge containing a number of trees, that follows Durham Road and joins the Wynyard Woodland Park Local Wildlife Site at its southern end.

Landscape Character and Visual Impacts - The Stockton Borough Council Landscape Character Assessment lists this site as 'Urban Fringe rough grassland', with a high level of landscape sensitivity, and low landscape capacity. The study suggests that at the time of the study, only development associated with the existing equestrian use should be accepted. However, as outlined below, the site is well screened by existing vegetation and landform with few viewpoints where the site can be observed. While the character of the site itself will change from a rural agricultural use to a residential development, this does not lead to a significant loss of openness, or coalescence of settlement. Only glimpsed views of the site are afforded from Durham Road, mainly through the existing site access and the adjoining narrower hedge line, with the dense wide roadside hedgerow screening most of the views at other locations along the road. Views from the Wynyard Woodland Park Local Wildlife Site are similarly largely screened by the dense tree cover on the railway embankment, although glimpsed views of the site are available in the winter months following leaf fall. However the southern corner of the site, where plots 25-27 are located, is clearly visible from the walkway as it passes close to the site with little intervening vegetation softening the view.

The houses in Wynyard Court have views over the site on account of their elevated position, although these views are partly softened by an existing band of hawthorn and conifer planting that lies along the northern site boundary. Longer distance views from the south are largely screened by the existing hedge along Durham Road and other intervening vegetation. The site can however be viewed from the Wynyard Woodland Park footpath to the south at a distance of 350m, where it rises up to the level of the old railway viaduct. Open views of the site are gained from this position. Longer distance views from the north are blocked by the houses in the village and from the east by the old railway embankment. The roadside hedge along Durham Road and other intervening vegetation and landform block any views of the site from the west.

The layout provides for an informal housing design in keeping with the settlement pattern of the existing village, however the density of the development has increased. Much of the existing boundary vegetation is shown as being retained within the proposed Hard Landscape and Boundary Treatment drawing (ref: 454-003 Rev H), including the existing hedge on Durham Road and the planting on the northern site boundary that will help to soften the development. Some additional planting at the southern corner of the site was also requested previously to filter views of the development from viewpoints to the south, this will also help to screen the proposed pumping station. This has not been included in the revised proposals but can be conditioned as part of the landscaping scheme.

Site Layout - A footpath link is proposed from the site on to Durham Road at the northern end of the site through the roadside hedge and this would be considered acceptable, but removal of the existing hedge where the path meets the road, and at the new access point should be minimised. A narrow footpath link to Wynyard Woodland Park has also been provided, however this stops at the red line boundary. This footpath should connect to the existing footpath within the Woodland Park, to enable it to be used by the public. This connection must be provided by the developer, and be suitable for public access.

New tree planting is indicated on the submitted plan but no details have been provided. Further significant tree planting will be required to enhance the development, and reflect the current 'green nature' of Thorpe Thewles village, however this may be conditioned. Tree positions must be viable and be at least 5 - 6m from properties generally. The location of all new tree planting should be carefully considered, so as to ensure that the amenity of the properties and gardens of existing and proposed homes would not be adversely affected by shading from any proposed planting.

Details of site boundary treatments have been provided, which are considered to be acceptable.

A landscape management plan must be provided detailing how all areas of the site not included within the plots shall be managed. This includes the landscape buffer to the edge of the Woodland Park, hedgerow boundaries etc. A scheme of fencing will also be required to demarcate the edge of the ecological buffer area during construction.

A full soft landscaped scheme will be required detailing landscaping across the site, however this may be conditioned. Similarly details of street lighting will also be required to ensure there is no conflict between trees and street lighting.

Public Open Space

The development includes no amenity space, and therefore an off-site contribution to open space is therefore required. Details of this are provided below.

For information the Public Open Space (POS) calculator indicates that based on mix of 2 bed houses (2 no.) 3 Bed Houses (6 no.), and 4 bed houses (23 no.), as indicated on the proposed site layout drawing, there is an estimated population of 112 no, there is no requirement for open space on site. The off-site contributions would need to be as follows;

	Standard Charge per Person	Total Charge for Development
Open Space	£458.71	£52,2292.94
Open Space Maintenance	£510.84	£58,235.76
Total		£110,528.70

A masterplan for the redevelopment of the 'core' area around the visitor centre at Wynyard Woodland Park has been developed with partners such as The Thorpe Thewles Historical Society and Tees Archaeology. The site is approximately 90m north of the development site, and any off site contributions should therefore contribute towards this scheme.

There are no landscape and visual objections to the proposed development of this site, however it is recommended that a number of conditions are applied to any permission to control outstanding details.

Flood Risk Management - The applicant has provided sufficient information to satisfy the Local Lead Flood Authority that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. However the applicant has not provided a detailed design for the management of surface water runoff from the proposed development and this information should be secured by condition.

13 SBC Housing Services Manager

The affordable housing units now meet minimum space standards as prescribed by Homes England and I am satisfied that the affordable housing offer is acceptable. Preference is for 2 bed or 3 bed affordable units. It would be helpful to know the tenure of the affordable housing offer as soon as possible, who the Developer is engaged with to manage and let /part sell the affordable units (i.e. which Registered Provider is their partner) and if there are any service charges attributable to the affordable housing units in connection with any of the maintenance of the shared space.

14 Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

European sites - Teesmouth and Cleveland Coast Special Protection Area - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the above site(s) and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest Impact Risk Zones - The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed

to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Summary of Natural England's Advice - No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.

Natural England's advice on other natural environment issues is set out below. Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

16 Northumbrian water

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. It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

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 "Flood Risk Assessment And Surface Water Management Strategy". In this document it states the foul flows shall discharge to the existing foul sewer downstream of manhole 2303, whilst surface water shall discharge direct to the watercourse. We would therefore request that a condition be attached to any planning approval, so that the development is implemented in accordance with this document: 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.

For information only - We can inform you that public sewers cross the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. For further information is available at <https://www.nwl.co.uk/developers.aspx>.

17 Sabic UK Petrochemicals Ltd

The proposed development will not affect SABIC/ENYOS ethylene pipeline apparatus

18 Tees Archaeology

The developer has provided an archaeological desk based assessment of the site which demonstrates that the majority of the site has been disturbed by 19th century quarrying and 20th century farm buildings and associated hard standing. The developer has therefore fulfilled the requirements of the NPPF (para 189) and demonstrated that the site as a whole has low archaeological potential, and no further work is required.

19 Principal Environment Officer

The development needs to consider the Local Plan with regards to policies ENV 1 – 3 and submit information. The applicant is required to submit an 'Energy Statement' to us detailing the predicted energy consumption and associated CO2 emissions of the development, and demonstrate how:

- a. The energy hierarchy has been applied to the development
- b. A minimum 10% reduction in CO2 emissions from the development, over and above current Building Regulations Part L requirements, will be achieved
- c. A minimum of 10% of the total predicted energy requirements of the development will be generated from renewable energy sources, but only if it is demonstrated that the 10% reduction in CO2 emissions cannot be achieved
- d. The feasibility of, and connection to, decentralised energy networks for heat and power has been investigated

20 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.

21 Contaminated Land Officer

I have considered the submitted Contaminated Land Report (26th September 2017, D8207/02) which provides a preliminary risk assessment of the site and provides information from an intrusive site investigation. This has identified land contamination in the top soil and made ground, possible asbestos and evidence of ground gas. The site is not in an area susceptible to radon emissions and as such no radon protection measures are required for new dwellings at the site.

I have no objections in principle to the development, however I would recommend that further information in relation to the potential sources of contamination is undertaken, as the number of sampling points are insufficient for the area of land concerned. The sampling strategy should be in accordance by guidance in CLR 4 Report 'Sampling Strategies for Contaminated Land.'

Further soil and gas sampling should be undertaken to further investigate the extent of contamination from other soil pollutants, asbestos and the migration of gas. The sampling strategy should also provide sufficient and reliable information for the remedial design. I would therefore recommend the following conditions are imposed;

- Possible land contamination
- Possible contamination from an old landfill site ' gas emissions
- Submission of land contamination Remediation Scheme
- Implementation of Approved Remediation Scheme and Verification Report.
- Reporting unexpected land contamination

22 Environmental Health Unit

I have checked the documentation provided, and have found no grounds for objection in principle to the development. I would recommend due to the close proximity of residential dwellings, the condition for construction noise be imposed on the development. I have requested this case be referred to the contaminated land officer for further comments.

23 Alexander Cunningham MP

Please see the correspondence from my constituent Nick Waites. His points are well made and I support his view that this creep up in numbers ought not to be allowed - in fact, as you know I opposed the original application in its entirety. The planning committee has also expressed a view that there should be no more. I hope they will stick to that decision. It seems that this developer wants more and more. This is the second time he's applied for more houses in an unsustainable village. Surely it's time to call time on him and stop further units there. I suspect had the local plan been in place he would have struggled to get the permission he did - to now allow a further expansion I believe would not be in the best interests of the village. I hope the application will be rejected.

- 24 SBC Care For Your Area; Air Products Plc; School Place Planning; Northern Powergrid; National Grid; Tees Valley Wildlife Trust; Councillors; Parish Council
No comments received

PUBLICITY

- 25 Neighbours were notified by letter, site notice and press advert and comments (including pro-forma letters) were received from the following addresses with the content summarised below. Full detailed comments can be found at <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

- a) Mr Graham Cotts Paddock Lodge Vicars Close
- b) Mrs P L John 4 Durham Road Thorpe Thewles
- c) Mr D Amos 10 Wynyard Court Thorpe Thewles
- d) Mrs Allyson Horner 7 Wynyard Court Thorpe Thewles
- e) Mr Nick Waites 3 Wynyard Court Thorpe Thewles
- f) Mr Ronald Kay 1 Wynyard Road Thorpe Thewles
- g) Mrs Wendy Dalton 7 Durham Road Thorpe Thewles
- h) Mr Gary Forster 17 Bernica Grove Ingleby Barwick

- Concerns over the increase in numbers and impact on educational, medical and transport services
- Sustainability of the Village
- Concerns over increase in traffic and impact on the highway which is narrow and often congested with cars
- The proposed design of the site is not complimentary to the existing village properties.
- The site plan does not offer any visitor parking, as such visitors will have to park on the adopted highway
- Concerns of the position and design of the affordable housing
- Light pollution to bedroom neighbouring properties
- Development encroaches even further into the 10 metre buffer zone between the development and the Wynyard Woodland Park Local Wildlife site.

PLANNING POLICY

- 26 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 Stockton on Tees Borough Council Local Plan 2019.
- 27 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 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

- 28 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.

- 29 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:
 - 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
 - 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

- 30 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.

Strategic Development Strategy Policy 2 (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.
3. The Strategic Housing Market Assessment for Stockton-on-Tees Borough identifies that there are specific needs with regard to housing type and tenure. This includes delivering homes to meet the needs of the ageing population.

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.
 - 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.
 - 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.

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.

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;
 - c. Need to protect and enhance ecological and green infrastructure networks and assets;
 - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
 - e. Privacy and amenity of all existing and future occupants of land and buildings;
 - f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
 - 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.
3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

Housing Policy 1 (H1) - Housing Commitments and Allocations

1. To deliver the housing requirement and to maintain a rolling five year supply of deliverable housing land, the Council have allocated sites identified within this policy. The majority of the new homes will be delivered through existing commitments (sites with planning permission identified within point 2) with the remainder of new homes being delivered through allocations at:
 - a. Various sites within the Regenerated River Tees Corridor.
 - b. Various sites within the conurbation.
 - c. West Stockton Sustainable Urban Extension.

d. Wynyard Sustainable Settlement.

The total number of dwellings set out in this policy is not the same as the housing requirement. This is because some commitments have already delivered a proportion of the dwelling numbers identified and some sites will likely deliver dwellings beyond the plan period, after 2032.

Commitments

2. Residential development is proposed at the following main sites, which benefit from planning permission. These sites are re-affirmed for residential development and are illustrated on the Policies Map:

Site Location/Name	Area (ha)	Total Dwellings (approx)	Remaining Supply at April 2018
Village Sites			
V7 Thorpe Beck Farm, Thorpe Thewles	1.4	24	24

Transport and Infrastructure Policy 1 (TI1) - Transport Infrastructure

11. To assist consideration of transport impacts, improve accessibility and safety for all modes of travel associated with development proposals, the Council will require, as appropriate, a Transport Statement or Transport Assessment and a Travel Plan.

12. The Council and its partners will seek to ensure that all new development, where appropriate, which generate significant movements are located where the need to travel can be minimised, where practical gives priority to pedestrian and cycle movements, provides access to high quality public transport facilities and offers prospective residents and/or users with genuine sustainable transport options. This will be achieved by seeking to ensure that:

e. New development incorporates safe and secure layouts which minimises conflict between traffic, cyclists or pedestrians.

Transport and Infrastructure Policy 3 (TI3) - Communications Infrastructure

7. Developers should demonstrate how proposals for new homes, employment or main town centre uses will contribute to and be compatible with local fibre and internet connectivity.

8. Taking into consideration viability, the Council require developers of new homes, employment or main town centre uses to deliver, as a minimum, on-site infrastructure including open access ducting to industry standards, to enable new premises and homes to be directly served by local fibre and internet connectivity. This on-site infrastructure should be provided from homes and premises to the public highway or other location justified as part of the planning application. Where possible, viable and desirable, the provision of additional ducting will be supported where it allows the expansion of the network.

Natural, Built and Historic Environment Policy 1 (ENV1) - Energy Efficiency

1. The Council will encourage all development to minimise the effects of climate change through meeting the highest possible environmental standards during construction and occupation.

The Council will:

a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:

i. Energy reduction through 'smart' heating and lighting, behavioural changes, and use of passive design measures; then,

ii. Energy efficiency through better insulation and efficient appliances; then,

iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then

iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then

v. Conventional energy.

b. Require all major development to demonstrate how they contribute to the greenhouse gas emissions reduction targets set out in Stockton-on-Tees' Climate Change Strategy 2016; and

c. Support and encourage sensitive energy efficiency improvements to existing buildings.

2. Proposals are encouraged where development:

- a. Incorporates passive design measures to improve the efficiency of heating, cooling and ventilation; and
- b. Includes design measures to minimise the reliance on artificial lighting through siting, design, layout and building orientation that maximises sunlight and daylight, passive ventilation and avoids overshadowing.

Domestic

3. All developments of ten dwellings or more, or of 1,000 sq m and above of gross floor space, will be required to:

- a. Submit an energy statement identifying the predicted energy consumption and associated CO₂ emissions of the development and demonstrating how the energy hierarchy has been applied to make the fullest contribution to greenhouse gas emissions reduction; and
- b. Achieve a 10% reduction in CO₂ emissions over and above current building regulations. Where this is not achieved, development will be required to provide at least 10% of the total predicted energy requirements of the development from renewable energy sources, either on site or in the locality of the development.

Natural, Built and Historic Environment Policy 4 (ENV4) - Reducing and Mitigating Flood Risk

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.

2. Development on land in Flood Zones 2 or 3 will only be permitted following:

- a. The successful completion of the Sequential and Exception Tests (where required); and
- b. A site specific flood risk assessment, demonstrating development will be safe over the lifetime of the development, including access and egress, without increasing flood risk elsewhere and where possible reducing flood risk overall.

3. Site specific flood risk assessments will be required in accordance with national policy.

4. All development proposals will be designed to ensure that:

- a. Opportunities are taken to mitigate the risk of flooding elsewhere;
- b. Foul and surface water flows are separated;
- c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and
- d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.

5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:

- a. To an infiltration or soak away system; then,
- b. To a watercourse open or closed; then,
- c. To a sewer.

6. Disposal to combined sewers should be the last resort once all other methods have been explored.

7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

9. Sustainable Drainage Systems (SuDS) should be provided on major development (residential development comprising 10 dwellings or more and other equivalent commercial development) unless demonstrated to be inappropriate. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance.

10. Through partnership working the Council will work to achieve the goals of the Stockton-on-Tees Local Flood Risk Management Strategy and the Northumbria Catchment Flood

Management Plan. This will include the implementation of schemes to reduce the risk of flooding to existing properties and infrastructure. Proposals which seek to mitigate flooding, create natural flood plains or seek to enhance and/or expand flood plains in appropriate locations will be permitted.

11. To reduce the risk of flooding the Council is working in partnership with the Environment Agency to deliver a Flood Alleviation Scheme on Lustrum Beck.

Natural, Built and Historic Environment Policy 5 (ENV) - Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity

1. The Council will protect and enhance the biodiversity and geological resources within the Borough. Development proposals will be supported where they enhance nature conservation and management, preserve the character of the natural environment and maximise opportunities for biodiversity and geological conservation particularly in or adjacent to Biodiversity Opportunity Areas in the River Tees Corridor, Teesmouth and Central Farmland Landscape Areas.

2. The Council will preserve, restore and re-create priority habitats alongside the protection and recovery of priority species.

3. Ecological networks and wildlife corridors will be protected, enhanced and extended. A principal aim will be to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats.

4. Sites designated for nature or geological conservation will be protected and, where appropriate enhanced, taking into account the following hierarchy and considerations:

c. Locally designated sites: Development that would have an adverse effect on a site(s) will not be permitted unless the benefits of the development clearly outweigh the harm to the conservation interest of the site and no reasonable alternatives are available. All options should be explored for retaining the most valuable parts of the sites interest as part of the development proposal with particular consideration given to conserving irreplaceable features or habitats, and those that cannot readily be recreated within a reasonably short timescale, for example ancient woodland and geological formations. Where development on a site is approved, mitigation or where necessary, compensatory measures, will be required in order to make development acceptable in planning terms.

5. Development proposals should seek to achieve net gains in biodiversity wherever possible. It will be important for biodiversity and geodiversity to be considered at an early stage in the design process so that harm can be avoided and wherever possible enhancement achieved (this will be of particular importance in the redevelopment of previously developed land where areas of biodiversity should be retained and recreated alongside any remediation of any identified contamination). Detrimental impacts of development on biodiversity and geodiversity, whether individual or cumulative should be avoided. Where this is not possible, mitigation and lastly compensation, must be provided as appropriate. The Council will consider the potential for a strategic approach to biodiversity offsetting in conjunction with the Tees Valley Local Nature Partnership and in line with the above hierarchy.

7. Existing trees, woodlands and hedgerows which are important to the character and appearance of the local area or are of nature conservation value will be protected wherever possible. Where loss is unavoidable, replacement of appropriate scale and species will be sought on site, where practicable.

Natural, Built and Historic Environment Policy 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

1. Through partnership working, the Council will protect and support the enhancement, creation and management of all green infrastructure to improve its quality, value, multi-functionality and accessibility in accordance with the Stockton-on-Tees Green Infrastructure Strategy and Delivery Plan.

2. Where appropriate, development proposals will be required to make contributions towards green infrastructure having regard to standards and guidance provided within the Open Space, Recreation and Landscaping SPD or any successor. Green infrastructure should be

integrated, where practicable, into new developments. This includes new hard and soft landscaping, and other types of green infrastructure. Proposals should illustrate how the proposed development will be satisfactorily integrated into the surrounding area in a manner appropriate to the surrounding townscape and landscape setting and enhances the wider green infrastructure network.

3. The Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. The loss of open space as shown on the Policies Map, and any amenity open space, will not be supported unless:

- a. it has been demonstrated to be surplus to requirements; or
- b. the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c. the proposal is for another sports or recreational provision, the needs for which, clearly outweigh the loss; or
- d. the proposal is ancillary to the use of the open space; and
- e. in all cases there would be no significant harm to the character and appearance of the area or nature conservation interests.

Natural, Built and Historic Environment Policy 7 (ENV7) - Ground, Air, Water, Noise and Light Pollution

1. All development proposals that may cause groundwater, surface water, air (including odour), noise or light pollution either individually or cumulatively will be required to incorporate measures as appropriate to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings, the character and appearance of the surrounding area and the environment.

4. Where future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must demonstrate via site investigation/assessment that:

- a. Any issues will be satisfactorily addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health and the environment; and
- b. Demonstrate that development will not cause the site or the surrounding environment to become contaminated and/or unstable.

MATERIAL PLANNING CONSIDERATIONS

31 The main planning considerations of this application include the principle of development, impacts on the character and appearance of the area; amenity of neighbouring occupiers; highway safety; flood risk, ecology and other residual matters.

Principle of development;

32 The principle of development was established when the outline application was approved in 2016 and subsequently the site is now an allocated housing site the in adopted local plan. Whilst the local plan and the outline application related to the provision of 24 dwellings (approx.) and this scheme is for 31, the additional houses would not be a reason to warrant refusal of the application in isolation unless harm could be demonstrated which is considered in the remainder of the report.

33 It is noted that a number of objectors have commented on the sustainability merits of Thorpe Thewles and impact on services, however as evidenced in previous schemes; Thorpe Thewles is considered to be a sustainable village which can accommodate residential developments of an appropriate scale and nature to that of the village.

34 Comments in relation to impact on services have been noted, however there is no evidence to suggest that the facilities cannot accommodate the additional 7 houses as proposed.

- 35 Overall it is considered that the principle of development is acceptable subject to the detailed consideration of the scheme as specified below.

Visual impact;

- 36 The application site sits on the southern fringe of the existing settlement of Thorpe Thewles. The site itself is set at a lower level than Durham Road and much of the site cannot be readily seen given the existing large hedgerow on the western boundary.
- 37 Whilst it is acknowledged that the development of the site would bring about a fundamental change in its current rural character, the Council's Landscape architects have no landscape and visual objections to the principle of the proposed development given that the site is relatively well screened by existing planting and the old railway embankment (Castle Eden Walkway).
- 38 The houses in Wynyard Court have views over the site on account of their elevated position, although these views are partly softened by an existing band of hawthorn and conifer planting that lies along the northern site boundary which are to be retained.
- 39 There are some viewpoints which will need additional planting to enhance the screening and this can be controlled by condition. With the supplementary planting and the retaining of the hedgerows on site it is not considered that the proposed scheme will have a significant adverse visual impact on the character and appearance of the area.

Proposed design and layout of the scheme

- 40 The proposed layout has been altered from the original scheme to allow changes to the proposed access which has in turn improved the general layout. The scheme includes six affordable homes, four of which have been positioned to take in to account the easement that runs in the north west corner of the site and the remaining two are located more to the centre of the scheme.
- 41 A footpath link is proposed from the site on to Durham Road at the northern end of the site through the roadside hedge and is positioned to enable as much of the hedge to be retained as possible. A footpath link to Wynyard Woodland Park has also been provided, and whilst the plans show this stopping at the red line boundary, a condition has been recommended to ensure it connects to the existing footpath within the Woodland Park, to enable it to be used by the public.
- 42 The separation distances within the site are generally acceptable, however plots 1 and 2 are below the guidance, nonetheless plot 2 has no windows in the side elevation and plot 1 has the main windows in the side elevations. It is considered that given the constraints of the site and the layout, it is considered acceptable in this instance and there will be no impact on privacy or amenity.
- 43 New tree planting is indicated on the submitted plan but no details have been provided and a condition has been recommended to ensure full details are agreed.
- 44 Whilst the concerns of the neighbouring occupiers about the development being out of scale with the village are noted. The overall scale and level of development is considered to be modest and of an appropriate scale to that of the village as a whole which no distinctive vernacular with a mix of historic and recent residential developments being located throughout the village. Overall it is considered that a new housing development would not be significantly out of keeping with overall character of the village, and the layout is considered

to provide a housing development which is in keeping with the settlement pattern of Thorpe Thewles.

Impact on existing neighbours

- 45 With regards to the impact of the proposed development on the amenity of the neighbouring properties, the nearest properties to the site are located along its northern boundary which consists of properties on both Wynyard Court and also along Durham Road. These sit at a higher level than the application site with some tree planting present adjacent to the northern site boundary which will be retained.
- 46 The nearest of the dwellings on the site plan suggest a separation distance in excess of 40 metres from 2 Durham Road to the rear of plots 10-13 and varying separation distances of approximately 23 – 33 between plots 14-19 and Wynyard Court which is acceptable and in accordance with the guidance as detailed in SPD1 Sustainable Design Guide.

Highway Safety:

- 47 The principle of development on this site has been established with permission 16/3211/OUT; and this proposal is for an additional 7 dwellings. Whilst the comments of the objectors with regards to a potential increase in traffic generation from the additional houses are noted it is not considered that the additional trip generation will be significant and would not constitute a material impact on the highway network.
- 48 The proposed site access has been moved further to the east, when compared to the access approved under application 16/3211/OUT however, this is still considered to be acceptable as suitable visibility splays can be achieved. In order facilitate this an extension to the existing 30mph speed limit and the provision of pedestrian connectivity/lighting from the site to the village will be required and secured via a Section 278 Agreement.
- 49 All of the proposed dwellings meet the required car parking standards as set out in SPD3: Parking Provision for Developments 2011 and there are no highway objections to the proposed scheme
- 50 In order to minimise the impact of the proposed development, during the construction phase, a Construction Traffic management Plan has been secured by condition.

Flood Risk

- 51 The proposed development falls within Flood Zone 1 and the Council's Flood Risk section have considered and assessed the submitted information with regards to the potential for surface water flooding.
- 52 The applicant proposes a SUDs pond to the south of the site and has provided sufficient information to satisfy the Local Lead Flood Authority that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. Following the revised details of the SUD pond the applicant has not provided a detailed design for the management of surface water from the proposed development and this information can be secured by condition which has been recommended.
- 53 NWA have no objections and requested a condition to tie the applicant to the submitted Surface Water Management Scheme, however this document is to be updated therefore the condition has not been recommended and NWA will be consulted one the revised scheme is submitted.

Impact on protected species;

- 54 Natural England have stated that they have no comments to make on the application with regards to statutory designated nature conservation sites or landscapes. The submitted ecological appraisal and bat report also set out that the proposed development will not impact statutory protected wildlife sites within the local area and also that the site has limited potential for providing habitats for protected species. Consideration has also been given to Natural England's standing advice in relation to protected species and specifically bats and without any firm evidence to the contrary, the site is considered to have limited ecological value and would be unlikely to support protected species. A planning condition is however recommended to ensure that the development is carried out in accordance with those recommendations set out within the ecological report and bat survey.
- 55 Since the writing of the report an updated assessment has been undertaken. The buildings have now been demolished and the site cleared, and there are no ecological constraints that would require additional mitigation.
- 56 Given the time limit of the application, it is recommended that an ecologist be present on site to undertake a walk over survey before starting work on site if not within two years.

Archaeology

- 57 The developer has provided an archaeological desk based assessment of the site which demonstrates that the majority of the site has been disturbed by 19th century quarrying and 20th century farm buildings and associated hard standing. The developer has therefore fulfilled the requirements of the NPPF (para 189) and demonstrated that the site as a whole has low archaeological potential, and in accordance with the advice from Tees Archaeology, no further work is required.

Contaminated Land

- 58 A Phase 2: Ground Investigation accompanies the application and various contamination sources were detected on site. Historical maps indicated a former gravel pit on the site prior to 1897. The report states that none of the findings of the Phase 2 report would preclude development on the site, but actions will need to be taken in order to adequately remediate the site before development/occupation commences.
- 59 This view was generally supported by the Environmental Health Team who have recommended more investigative works be undertaken and the site be remediated in accordance with a scheme to be agreed with the Local Planning Authority. This has been conditioned.

Planning Obligations

- 60 Housing proposals need to be considered against Development Plan Policy in respect to planning obligations which have already been detailed in report in relation to highways; open space and affordable housing. Contributions towards education can also be required to offset the demands placed on the surrounding educational provisions. The Councils education contribution is calculated at the time of the development commences and whether a payment is required is based on the capacity within schools at that time and will form part of the Section 106.

Other Matters

- 61 In accordance with the requirements of local planning policy major residential development the applicant is required to submit an Energy Statement detailing the predicted energy consumption and associated CO2 emissions of the development. This has been conditioned.

CONCLUSION

- 62 The impacts of the proposal have been considered against national and local planning guidance, the development is an allocated site located within the urban limits and the principle of development is acceptable
- 63 It is considered that a residential development of 31 dwellings can be accommodated on the site without significantly affecting the character of the village, the neighbouring properties residential amenity or highway safety. The development is also considered to be acceptable in relation to its impacts on flooding and protected species.
- 64 In view of the above the proposal is considered to be acceptable in planning terms and is recommended for approval subject to conditions and the applicant entering into a section 106 agreement as detailed within the report.
- 65 It is recommended that the application be Approved with Conditions for the reason(s) specified above.

Director of Economic Growth and Development
Contact Officer Elaine Atkinson Telephone No 01642 526062

WARD AND WARD COUNCILLORS

Ward Northern Parishes
Ward Councillor(s) Councillor John Gardner

IMPLICATIONS

Financial Implications:

The proposed development will potentially contribute towards education and open space provision. The development may also provide additional funding through the new homes bonus regime.

Environmental Implications:

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

Human Rights Implications:

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

Community Safety Implications:

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

Background Papers

National Planning Policy Framework, Stockton on Tees Local Plan, Supplementary Planning Documents / Guidance