

DELEGATED

AGENDA NO

PLANNING COMMITTEE

3rd June 2020

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

19/2639/REM

Land to the south of Kirklevington, Thirsk Road, Kirklevington.

Reserved matters application for access, appearance, landscaping, layout and scale for the erection of 145 dwelling houses to include 22 affordable homes, village shop, car park, multi-use games area, landscaping and associated engineering works.

Expiry Date: 10 December 2019

SUMMARY

Outline planning consent was granted in 2017 for up to 145 dwellings on land south of Kirklevington, Thirsk Road, Kirklevington (15/1643/OUT). A previous reserved matters application (17/1718/REM) was approved in 2018. The principle of the development has therefore been established.

This application has been submitted to enable the delivery of a new core range of house types on the site that Story Homes Ltd has introduced since the approval of the previous reserved matters application and comprises the same number of dwellings as previously approved.

The application substitutes the house types with a broadly similar mix, size and style of dwellings and layout to that which has already been approved.

As part of the outline consent, the applicant entered into a Section 106 Agreement to provide a financial contribution for additional school places, financial contribution to fund a daytime bus service Monday to Sunday for a five year period and a financial contribution to highway improvements.

A number of conditions were also attached to the outline consent covering amongst others surface water management, ecology and contaminated land. These conditions will still be required to be fully met by the developer.

The proposal is considered to be in line with general planning policies as set out in the Development Plan and is recommended for approval with conditions.

RECOMMENDATION

That planning application 19/2639/REM be approved subject to the following conditions and informative set out below:-

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

Plan Reference Number	Date Received
C1510-02 REV K	4 March 2020
30026.GA REV K	4 March 2020
BTR-PLE1/1	6 December 2019
BTR-PLE1/2	6 December 2019
BTR-PLP1 A	6 December 2019
CRN-PLE1/1	6 December 2019
CRN-PLE1/2	6 December 2019
CRN-PLE1/3	6 December 2019
CRN-PLP1	6 December 2019
FNN-PLE1/1	6 December 2019
FNN-PLP1	6 December 2019
FRR-PLE1/1	6 December 2019
FRR-PLE1/2	6 December 2019
FRR-PLP1	6 December 2019
HAW-PLE1/1	6 December 2019
HAW-PLE1/2	6 December 2019
HAW-PLP1	6 December 2019
HRN-PLE1/1	6 December 2019
HRN-PLE1/2	6 December 2019
HRN-PLE1/3	6 December 2019
HRN-PLP1	6 December 2019
HWN-PLE1/1	6 December 2019
HWN-PLE1/2	6 December 2019
HWN-PLP1	6 December 2019
LWN-PLE1/1	6 December 2019
LWN-PLE1/2	6 December 2019
LWN-PLE1/3	6 December 2019
LWN-PLP1	6 December 2019
MTN-PLE1/1	6 December 2019
MTN-PLE1/2	6 December 2019
MTN-PLP1	6 December 2019
SAN-PLE1/1	6 December 2019
SAN-PLE1/3	6 December 2019
SAN-PLP1	6 December 2019
SPR-PLE1/1	6 December 2019
SPR-PLP1	6 December 2019
WLN-PLE2/33	6 December 2019
WLN-PLP2	6 December 2019
GB-PLP1/1	6 December 2019
GB-PLP2/1	6 December 2019

Reason: To define the consent.

- 02 This approval relates solely to this application for the approval of Reserved Matters and does not in any way discharge condition numbers 3, 4, 8, 9, 10, 11, 12, 14, 16, 17, 19, 20 and 21 contained in the Outline Planning Approval reference 15/1643/OUT which still require the submission of specific details and the written approval of the Local Planning Authority.**

Reason: For the avoidance of doubt and to define the consent.

- 03 Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Section 104 Plan" dated "03/12/19". The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 8604 and ensure that surface water discharges to the existing watercourse.**

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

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

Reason: Unexpected contamination may exist at the site which may pose a risk to human health and controlled water,

- 05 No development shall be commenced until the Local Planning Authority has approved in writing the details of arrangements for the protection of the adopted highway, from tree root damage where trees are planted within 2m.**

Reason: To protect the adopted highway from damage by tree roots.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

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

BACKGROUND

1. Outline planning consent was granted in 2017 for up to 145 dwellings on land south of Kirklevington, Thirsk Road, Kirklevington (15/1643/OUT). A previous reserved matters application (17/1718/REM) was approved in 2018.

2. A subsequent application for a non-material amendment (17/1718/NMA) to amend the approved house types for a number of plots and the treatment of some open space was approved in 2019.

3. A full planning application (17/2730/FUL) for a separate construction access to deliver the site was approved in 2018.
4. This application has been submitted to enable the delivery of a new core range of house types on the site that Story Homes has introduced since the approval of the previous reserved matters application.
5. This application relates to the reserved matters of access, appearance, landscaping, layout and scale with regards to proposals for the erection of 145 residential dwellings, a village shop, car park, multi-use games area, landscaping and associated engineering works.

SITE AND SURROUNDINGS

6. The application site lies to the south of Kirklevington village. The site is linear in an east / west direction and abuts existing housing forming the southern edge of the village as well as being adjacent to the primary school and on the opposite side of the road to the Grade II* Listed Church of St Martin and St Hilary Church which itself stands on an area of high ground at the south east corner of the village.
7. The site is a total of 10.83 hectares in area and is relatively flat although depressions and undulations do exist within it. A Public Right of Way (PRoW) runs through the site from St Martins Way to the wider public footpath network beyond to the south of the site. The site is bounded to the south and west by agricultural land. A track runs east to west along the southern boundary of the site connecting to the A67 at its eastern most point. A drainage ditch also follows the southern boundary of the site.

PROPOSAL

8. The application substitutes the previously approved house types with a broadly similar mix, size and style of dwellings and are accommodated within a similar but refined road layout, retaining the same landscaping and areas of open space and drainage arrangements and reflects that which has already been approved.
9. As with the previous reserved matters approval the properties will be a mix of 2, 3, 4 and 5 bedroom dwellings. The properties will include short terraces, semi-detached and detached houses of 2 storeys in height.
10. As with the previously approved reserved matters scheme it is proposed to provide 22 affordable dwellings on-site which would represent a 15.2% affordable housing provision in line with the outline consent.
11. In accordance with the scope of the outline planning permission a village shop of 250 sqm of Gross Internal Area is included in the reserved matters proposals. It will be located on the north eastern part of the development as previously approved. The store will be primarily single storey with a pitched roof with an entrance on the eastern frontage facing on to the green space at the east of the site. This ensures that the appearance of the store does not overbear, overlook or overshadow the adjacent residential properties. The elevations will be predominantly finished in brick, with glazing and woodgrain rain cladding adjacent to the entrance. The roof is proposed to be finished in eternity slate.
12. A large area of green open space is still proposed to be provided on the eastern part of the site to maintain the openness of the site in the setting of the Listed Grade II* Church of St Martin and St Hilary. This will predominantly be left open with only a small MUGA and children's play area on the

western part, a relocated shallow dry SuDS feature and some structured tree provision around the edges. There will be pedestrian routes across the site as previously proposed.

13. A linear area with a landscape buffer is still proposed to be delivered along the northern part of the site between the existing residential properties at St Martins Way, Kirklevington Primary School and the proposed development. This will connect into the open space at the east of the site. This buffer will include footpath connections and have wooden play facilities located along a section of its route.

14. A landscape buffer will also be provided along the southern part of the site including an amended SuDS drainage provision. The amended SuDS feature is now a single linear feature rather than two basins which reduces the number of inlet and outlet features required. A footpath will also run east to west through part of the open space to the north of the SuDS feature.

15. The landscaping planting with the southern landscape buffer will be augmented by an off-site landscape buffer which is subject of an existing Unilateral Undertaking and will add depth to the boundary treatment. This will ensure that there are filtered views of the site as people approach Kirklevington from the south along the A67.

16. The northern buffer will still be between 15m and 35m between the edge of any new road to the boundary of the site and 42m to 55m between elevations of proposed and existing neighbouring properties as per the previously approved scheme. This will ensure satisfactory separation distances are maintained.

17. A landscape corridor will also be retained alongside the PRoW that runs through the site north to south.

18. A MUGA is now proposed to be delivered on the open space on the eastern part of the site adjacent to the children's play area to form a consolidated play provision. The location is close to access for other residents in the Village. Pedestrian access to the MUGA will be through a number of footpaths through the open space, including a direct link to the children's play area.

19. Vehicle access is still proposed to be provided by way of the construction of a new junction onto the A67, at the south-eastern corner of the site in the same manner as that previously approved. Separate secondary access points from Thirsk Road and another from Pump Lane are also proposed, as per the previous reserved matters approval.

20. Within the site, the intention remains to create a street network and environment where the highway is not the dominant feature and where there is direct access to individual properties. In general terms, the street layout would therefore be contained by buildings and/or landscaped features.

21. Appropriate car parking will be provided with in curtilage car parking spaces (including garages) for resident parking for dwellings and visitor parking spaces spread throughout the site. The in curtilage parking provision is proposed on the same parking requirements and dimensions as agreed as part of the previous approved reserved matters application.

22. A 25 space car park as previously approved will be provided in the north eastern edge of the site near to the shop and MUGA which can be used by residents of the village when visiting the site or other local facilities such as the school, Village Hall or the Church of St Martin and St Hilary.

23. As per the previously approved layout, all dwellings have satisfactory separation distances.

CONSULTATIONS

24. 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 proposals.

Highways Comments

The current proposals seek to amend the road layout and substitute the house types previously approved under application 17/1718/REM.

The proposed layout, as shown on drawing 30026.GA Rev K, has been reviewed against the Councils design guide and SPD3: Parking provision for Developments 2011.

The key change to the road layout is the removal of the through roads from plot 49 to 81 and plot 26 to 101 and the introduction of several private drives.

The proposed layout is acceptable however, due to the changes in the road layout the main vehicle flow adjacent to plot 44 will alter with the section of road serving plots 48 and 49 becoming the minor arm of the junction.

The applicant has demonstrated that the required forward visibility around the bend in the main road, adjacent to plot 44, is achievable however, this area would become 'adopted' highway which must be reflected on the proposed Adoption Plan drawing 30026.AP Rev A.

Car parking has been provided, in accordance with SPD3: Parking provision for Developments 2011, for all of the proposed houses and this element of the scheme is therefore considered to be acceptable.

Landscape & Visual Comments

As noted previously, during works currently on site a significant length of hedging has been removed from the site frontage close to Thirsk Road. The latest submitted plan provides some mitigation works to replace a section of this hedging.

It is also noted that there are a number of trees throughout the site layout which are located in close proximity to the adopted highway. It is required that a root barrier membrane is installed where trees are planted within 2m of the adopted highway to protect the highway from future damage, however this information could be conditioned.

Flood Risk Management

The LLFA have no further comment to make on this application, detailed surface water management information is still to be submitted however, this is covered by condition.

Environmental Health Unit

Regarding the above application I would have no further comment to make.

I would request compliance with the conditions which were imposed on the application on 15/1643/OUT and 17/1718/REM.

Tees Archaeology

It is understood that this is the Reserved Matters Application for the development authorised at Outline Stage Reference Number 15/1643/OUT, Land South Of Kirklevington, Thirsk Road, Kirklevington, Construction of up to 145 dwellings and associated community and sport facilities (all matters reserved except for access).

Tees Archaeology have no objection to this reserved matters application.

Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development.

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/services/developers/>

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 "Section 104 Plan". In this document it states that the foul flows shall discharge to the foul sewer at manhole 8604, whilst all surface water shall discharge to the watercourse.

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 "Section 104 Plan" dated "03/12/19". The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 8604 and ensure that surface water discharges to the existing watercourse.

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 Ramblers Association

The Ramblers thank the Council for the opportunity to comment on the above planning application. We are happy to see that a suitably broad corridor has been reserved to accommodate the section of Kirklevington FP 16 that lies within the proposed development.

We note that diversion of the path is not thought necessary, but ask that safe access to the way be maintained at all times during construction

Highway England

It is understood that this is the Reserved Matters Application for the development authorised at Outline Stage Reference Number 15/1643/OUT, Land South Of Kirklevington, Thirsk Road, Kirklevington, Construction of up to 145 dwellings and associated community and sport facilities (all matters reserved except for access).

Highways England issued a no objection to this application, and we do not wish to comment further on our previous response.

Historic England

Thank you for your letter of 12 December 2019 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

PUBLICITY

25. 8 letters of objection were received from the following addresses and a summary of the comments received are set out below:-

The full details of the objections can be viewed on line at the following web address:-

<http://www.developmentmanagement.stockton.gov.uk/online-applications/>

C Bielby, 28 St Martins Way, Kirklevington

The site experiences regular flooding as it sits on an aquifer. The field designated as the site for the "village green" and play area is under water for most of each winter and after wet spells in summer too. The bulldozing and preparation work in the site has already affected the drainage from the field adjacent to my property.

The current One Way system is strained now and the exit from Forest Lane onto the A67 is very dangerous. The proposed development will only exacerbate that problem by increasing traffic both leaving the village and that approaching from the south.

When children get to Green Lane there is no controlled crossing, an increased population of children will make a serious accident even more likely. The alternative of driving children to school already creates more traffic congestion.

The proposed plan for the disposal of Sewage will create an increased burden on the system which is already working to capacity.

The increase in population as a result of this proposal will add to the strain on the limited public service resources.

Kirklevigton should be allowed to remain the small and pleasant community it currently is.

Roger Murdock, 22 St Martins Way, Kirklevington

The siting of a playground at the rear of our property, probably causing noise and nuisance and a loss of privacy. Could this not be sited in the middle of the new estate, and not close to gardens. Also the drainage factor needs to be looked at - there have been problems with water draining into the rear gardens of St Martins Way, Kirklevington since the houses were built there and we need to ensure that this does not happen after the new estate is completed.

J H Thompson, 24 St Martins Way, Kirklevington

There is a long standing problem with flash drainage from the field at the north west corner of the above site. When Comben Homes built the houses in St Martin's Way and The Green they built over a stream that drained from the above area into a pond at the tee junction between St Martin's

Way and the Greeg. Damage caused by subsidence led to two houses at this location being demolished and reconstructed on raft type foundations.

The rear gardens of houses 26 and 28 St Martin's Way have standing water during the winter months and other wet periods. During particularly wet periods this has resulted in run off following the interrupted route and flowing above damp course level between houses numbers 24 and 26. I have photographs. This was made worse on occasions when the field has been ploughed from South to North rather than from East to West.

Story's drawing D8090 rev 5 S104 Plan 2225708 shows the location of their proposed site finishes. Story's flood management scheme proposes a ridge running from East to West along the south side of Story's site to direct run off to flood catchments areas adjacent to the southern and eastern boundaries of their site. Spot levels shown on this drawing show the ridge on the southern side of the green belt/footpath/cycle path leaving run off from this area to continue to collect behind houses 26 and 28 St Martin's Way.

The drawing proposes a playground at the rear of houses 22 and 26 St Martin's Way. This is not a suitable location for this feature. The area would be flooded for much of the winter, there is a puddle there right now.

There is no existing public right of way on the route of the planned footpath/cycle path.

There is a mature horse chestnut tree at the corner of numbers 22 and 24 St Martin's Way. Placing the playground in the proposed position will almost certainly result in children trying to dislodge chestnuts creating a nuisance and possibly damage at these existing properties.

The playground should be repositioned as shown in the attached extract from Story's drawing. This location is within the new development on the route of the existing public right of way which is shown on OS maps.

The flood plan for Story's site should capture all of the run off from their land. To achieve this the planned ridge should be positioned along the northern boundary of Story land. At the above location this would involve eliminating the depression at the rear of houses 22 to 28 St Martin's Way.

This would discourage flooding of this stretch of the footpath/cycle path.

There is a similar problem on the southern boundary of the school field. Run off from the school field floods the public right of way on the boundary with Story's site. There is a spring near to the bend in Pump Lane. The natural route for drainage from the land north of this line is to the field which is the north east corner of Story's site. The paddock at this location is often flooded. It will be necessary to raise the footpath/cycle path and provide a route under it for the above drainage otherwise the footpath will continue to flood during wet periods. It is flooded now.

These issues were drawn to the attention of Story's representatives when they met with residents from the village. These issues were also raised with Stockton Borough Council during the presentations given by representatives from the village to the Planning Committee when outline planning was given for this development. The simple measures needed to eliminate these problems will not involve significant cost or inconvenience for the developer and clearly they will improve the new facility.

Mr Keith Morley, 20 St Martins Way, Kirklevington

On the latest plans, backing on to the gardens of 20, 22, 24, 26 & 28 St Martins way, a new proposed play space has been added. If this is added it will increase the noise in the area and also the rubbish that will inevitably be left by those using the area which will then be deposited into the

gardens of St Martins Way by the prevailing south westerly winds. There is already a large play area within the development on the open space near the affordable housing area.

Mr Bruce Binns, Roseberry House, Thirsk Road

Concerned with over development of village, traffic congestion and loss of surrounding countryside.

Mr Ian Gordon, 32 St Martins Way, Kirklevington

I wish to reinforce my objection to this development and pick up on one of my objections I anticipated before the ground works commenced.

I am a shift worker and within my shift pattern I have 2 consecutive night shifts. Before the Christmas break the noise from the earth moving machines and tipper lorries (including their reverse warning sounds) meant that I couldn't sleep peacefully in my own bed resulting in me having to relocate to a bedroom at the road side of the house. Unfortunately the sound was all invading and very little sleep came my way during your working week. After weeks of this my physical and mental well being deteriorated, noticeably in my decision making at work. Do I take early retirement to get round a couple of years sleep disturbance and will Story compensate me accordingly?

Also, since the earth works have begun, I have noticed how slowly my back garden is now draining. After 26 years at this address the bottom of the garden has never been as waterlogged as it still is - even after it has been flooded in previous wet spells, it drained quicker.

Mrs Leanne Thompson, Hartlepool Civic Centre, Hartlepool

With regard to this application the Tees Valley Local Access Forum (TVLAF) would like to see the developer being asked to fund improvements to the existing footway on the eastern side of the A67 to create a dual-use path for cyclists and pedestrians. It is felt that cycling between Yarm and Kirklevington along this road is extremely hazardous, particularly on the stretch which passes HMP Kirklevington and upgrading the footpath to a dual-use path would help to reduce the hazards. The members of the TVLAF feel the current path on the eastern side of the road is too narrow in places and unsuitable for pushing a buggy. The TVLAF are concerned that an increase in traffic between Kirklevington and Yarm will further exacerbate the traffic problems around Conyers School, as well as making the A67 more hazardous for non-motorised users. Members of the TVLAF would also like to see improvements in public transport in the area.

Owner/Occupiers of Squirrels Leap & The Hawthorns, Pump Lane, Kirklevington

Objections:

To the height and design of the village shop.

- The industrial design shown is of a greater height than a 2-storey house and is out of place in the village setting the developer seems to be trying to create and certainly out of place in the adjacent village surroundings.

- The amount of glass will give an inordinate amount of light pollution in a semi-rural setting.

- We would like to place our objections now so that the planning authority can consider appropriate restrictions in advance of any more specific planning application.

To the traffic generation created by the proposed village shop

Other complaints have made reference to the problems of Pump Lane and whilst unable to decipher the detail of the roadway and circulation proposal we would like to point out that since Pump Lane has been provided with a pathway and high concrete kerbs on either side we have had ongoing problems with the roadway restriction resulting from inappropriate parking. This occurs as a result of:

1. The school when depositing or collecting children

2. The village hall when any function occurs that creates parking needs in excess of the car park provided, and can continue to the next day should revellers feel they are too drunk to take their cars home

3. The church for weddings and funerals with large congregations.

In combination this creates a high frequency of cars parking on the pavement in order to allow traffic to pass which is illegal. However, anything else causes vehicles to have to mount the other curb digging deep ruts into the hedge bank. This is not so much a problem for those with SUV's but to those with smaller lower cars it presents a danger to tyres, suspension and tracking.

We are therefore concerned that the traffic generation created by a village shop in the proposed location will put additional and un-designed pressure on Pump Lane and the planned circulation needs to take account of this. The proposed site does not encourage pedestrian use being some distance from the public footpath access point for the mass of the existing and proposed village. Neither is the location sited nearer the access to the main road should this village shop provision be seen to serve the wider community.

General Comments:

Whilst we are grateful that the built up area allows some space between our homes and this part of the development we feel that the efforts made to create a natural barrier between the new development and existing housing should be more clearly designated as continuing right up to the line of the proposed roadway and the planting detailed include a more reasonable number of low shrubs around the proposed car park as little has been attempted to shield Squirrels Leap from this increase in noise and loss of privacy. The headlights incoming on the new roadway will shine directly into the windows of both Squirrels Leap and The Hawthorns so shrub planting to ameliorate this unpleasant effect would be appreciated as part of the proposed pathway planting scheme.

Concerning the type of affordable homes suggested, we feel there is a significant lost opportunity for social benefit. With an ageing population both in general and within the current village the whole of the area is short of single storey developments. A new local provision could offer down-sizing opportunity for the encouragement of those who wish to leave larger family homes but remain in the area with which they are familiar and have lived all their lives.

We would also like to request a restriction of working hours/days on this development as we suffer excessive noise pollution having no buffer.

We would endorse all the comments regarding drainage. Since the top levels of soil have been stripped off, the areas of standing water have become excessive and never drain away even though a channel has been cut to the large pond acting as a sump.

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

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.

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

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

Policy 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.
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.

Policy SD3 - Housing Strategy

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land. 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:
 - 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.
4. New dwellings within the countryside will not be supported unless they:
 - a. Are essential for farming, forestry or the operation of a rural based enterprise; or
 - b. Represent the optimal viable use of a heritage asset; or
 - c. Would re-use redundant or disused buildings and lead to an enhancement of the immediate setting; or
 - d. Are of an exceptional quality or innovative nature of design. Such a design should:
 - i. be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 - ii. reflect the highest standards in architecture;
 - iii. significantly enhance its immediate setting; and
 - iv. be sensitive to the defining characteristics of the local area.

Policy 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.
 - 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.
 - 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.
 - 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.
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.
 - 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.

Policy SD7- Infrastructure Delivery and Viability

1. The Council will ensure appropriate infrastructure is delivered when it is required so it can support new development. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of infrastructure provision. The Council will also work together with other public sector organisations, within and beyond the Borough, to achieve funding for other necessary items of infrastructure.

2. New development will be required to contribute to infrastructure provision to meet the impact of that growth through the use of planning obligations and other means including the Community Infrastructure Levy (CIL). Planning obligations will be sought where:

- a. It is not possible to address unacceptable impacts through the use of a condition; and,
- b. The contributions are:
 - i Necessary to make the development acceptable in planning terms;
 - ii Directly related to the development; and
 - iii Fairly and reasonably related in scale and kind to the development.

Policy 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.

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.

Regenerated River Tees Corridor Allocations

3. The following sites within the Regenerated River Tees Corridor are allocated for housing development as illustrated on the Policies Map:

Site Location/Name	Area (ha)	Total Dwellings (approx)
Land South of Kirklevington	10.8	145

Policy H4 – Meeting Housing Needs

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of appropriate sizes, types and tenures which reflects local needs and demand, having regard to the Strategic Housing Market Assessment, its successor documents or appropriate supporting documents.

2. Support will be given to higher density development within areas with a particularly high level of public transport accessibility. Elsewhere housing densities will be considered in the context of the surrounding area in accordance with policy SD8.

3. The Council require 20% of new homes to be affordable on schemes of more than 10 dwellings or with a combined gross floorspace of above 1000sqm.

5. Affordable housing will normally be provided on-site as part of, and integrated within housing development to help deliver balanced communities. This provision should be distributed across sites

in small clusters of dwellings. Off-site affordable housing or a commuted sum will only be acceptable where:

- a. All options for securing on-site provision of affordable housing have been explored and exhausted; or
 - b. The proposal is for exclusively executive housing, where off-site provision would have wider sustainability benefits and contribute towards the creation of sustainable, inclusive and mixed communities; or
 - c. The proposal involves a conversion of a building which is not able to accommodate units of the size and type required; or
 - d. Any other circumstances where off-site provision is more appropriate than on-site provision.
6. Where off-site affordable housing or a commuted sum is considered acceptable, the amount will be equivalent in value to that which would have been viable if the provision was made on-site and calculated with regard to the Affordable Housing Supplementary Planning Document 8 or any successor.

Policy 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.
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.

Policy ENV5 – 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.
- 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.
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.

Policy 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.

4. Development within green wedges will only be supported where:

- a. it would not result in physical or visual coalescence of built-up areas;
- b. it would not adversely impact on local character or the separate identity of communities;
- c. it would not adversely impact on recreational opportunities; and
- d. it would not adversely impact on biodiversity.

MATERIAL PLANNING CONSIDERATIONS

28. The main material planning considerations of this application relate to the details of the proposed development, its access, appearance, landscaping, layout and scale and its relationship to existing development and whether it satisfies the requirements of the Development Plan Policies.

Site characteristics, detailed design and relationship and impact on existing development

29. The application site already has outline and reserved matters consent and therefore the principle of the development has been established. This application is concerned with the reserved matters and relates to the form and design of the development as a whole including parking provision.

30. The outline approval set a development threshold of 145 dwellings and the illustrative Masterplan that accompanied the Outline Planning Application set out a number of design principles and it is considered that the proposed scheme has satisfactorily incorporated these requirements into the design and overall layout.

31. The proposed housing layout incorporates a mix of house types, which are traditional in design with detailing to reflect local vernacular and using a palette of materials chosen to reflect the appearance of traditional dwellings. The use of a variety of bricks, render and slate grey roof tiles, assists the definition of building groups within the development, and adds variety and interest to the streetscape.

32. The dwellings themselves consist of a range of house types and the proposed layout has been designed to ensure that adequate distances are met. The mix gives a variety of accommodation (including the agreed amount of affordable housing) and the internal arrangements together with the positioning of window openings have been designed to minimise any overlooking and it is considered that the proposal relates well to existing development in the vicinity.

33. The proposed vehicular access is acceptable and the internal road layout features a hierarchy of roads which enables a legible route in and around the site. In addition to the access points,

including pedestrian footways, a network of perimeter footpaths enables further links into the site and the opportunity to move around within the development.

34. The dwelling frontages are orientated to provide a high level of natural passive surveillance to the streets and spaces with clear definition between the public and private realm.

35. The proposed development is 2 storey dwellings and the front gardens subject to the dwelling location, will comprise a range of enclosures.

36. Existing key landscape features such as the hedgerows which define the field boundaries have been retained where possible, and enhanced to form a 'green infrastructure' that links into the open space which offers amenity opportunities for the future residents.

37. The engineering of the site introduces new SUDS ponds to assist with the attenuation of the surface and ground water run-off, in the interests of not surcharging the local surface water drainage.

Other Matters

38. As part of the outline consent, the applicant entered into a Section 106 Agreement to provide a financial contribution for the additional school places, financial contribution to fund a daytime bus service Monday to Sunday for a five year period and a financial contribution to highways improvements at the Crathorne Interchange.

39. A number of conditions were also attached to the outline consent covering amongst others flooding, ecology and drainage. These conditions will still be required to be fully met by the developer.

40. A number of objections have been raised by local residents which are set out earlier in this report and which are considered to relate primarily 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.

41. External consultees have also confirmed that they are satisfied with the proposal and raise no objections.

42. In terms of comments regarding the appearance of the 'Village Shop', it is located in a similar location to those shown in the indicative outline planning application proposals and the same location as approved in the previous reserved matters scheme. The store will be single storey with a pitched roof with an entrance on the eastern frontage facing on to the large green space at the east of the site. The elevations will be predominantly finished in brick, with glazing and woodgrain rain cladding adjacent to the entrance. The roof is proposed to be finished in an eternity slate roof. It has been designed to tie in with the development and the village with a significant separation distance to safeguard existing residential amenity for residents.

43. In respect of comments regarding the 'playground' at the rear of houses 22 and 26 St Martin's Way, this comprises small scale timber play equipment designed for use by younger children with a good level of natural surveillance. The main recreational area comprising the MUGA and main area of play within the site is located in the large open space at an appropriate distance from residential properties.

44. In respect of sewerage capacity, NWL has confirmed that it will be able to provide a sufficient connection to its network and provide capacity for foul sewerage from the site.

45. In terms of disturbance during construction, as with any large scale groundworks there will be a degree of disturbance and a condition is in place which seeks to control noise limits associated with the construction process in order to minimise impact on nearby residents. A construction management plan is also in place in relation to this matter.

46. The PROW is retained along with good footpath connections along roads and through landscaped areas around and through the site to encourage pedestrian movements. Comments regarding the existing footway on the eastern side of the A67 and potential to create a dual-use path for cyclists and pedestrians was fully considered at the Outline stage but was not achievable.

47. The car park is in the same location as approved in the previous reserved matters scheme and includes provision for 25 spaces which will be freely available for community use including for visitors to the village shop, Primary School, Village Hall and Church of St Martin and St Hilary. There is a native shrub mix proposed to the north and west sides of the car park, and three silver birches which will help screen the car park from headlights from users of the new section of road, once the planting establishes.

48. The MUGA has been set back from the area of green open space at the east of the site to form a better relationship with the village shop to the south. This avoids a uniform frontage of car park, MUGA and shop for those entering the site. The relocated MUGA ensures the sense of openness of the proposed open space is retained of the setting of the Grade II* Listed Church of St Martin and St Hilary.

49. In respect to comments raised regarding surface water, the storage area is a temporary arrangement, provided to manage runoff during the construction of the main site infrastructure. A detailed drainage strategy has been prepared which seeks to ensure that there is no increased risk of flooding on site or elsewhere as a result of the development and this is subject to a condition, the requirements of which will need to be fully met by the applicant. The drainage strategy for the site has been considered by the Council's Surface Water Management Team and raises no objection to the proposal.

Means of Access, Parking and Traffic Issues

50. The Highways Transport and Design Manager has considered the highway arrangements in terms of how it functions and highway safety implications as well as general parking provision and is satisfied with the proposal. The proposed development has been designed in accordance with the Council's Design Guide and Specification.

CONCLUSION

51. The revised reserved matters application has followed the principles of the indicative outline planning application proposals and previously approved reserved matters application. The nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and the layout is acceptable in terms of highway safety and is in accordance with policies in the Development Plan identified above and therefore the recommendation is to approve the application subject to the conditions set out in the report.

Director of Economic Growth and Development
Contact Officer Gregory Archer Telephone No 01642 526052

WARD AND WARD COUNCILLORS

Ward

Yarm

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

IMPLICATIONS

Financial Implications: As report

Environmental Implications: As report

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

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

Background Papers

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton-on-Tees Local Plan

Planning Applications reference 15/1643/OUT and 17/1718/REM