

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

26 August 2020

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

18/0409/OUT

**Land South Of Thornaby Football Club, Acklam Road, Thornaby
Outline application with all matters reserved save for access, for the residential
development of up to 10 dwellings**

SUMMARY

The application site relates to an area of land to the north of the residential dwellings on Acklam Road and to the south of Thornaby Football Club. The site comprises an area of hardstanding as part of old football club as well as an area of woodland that links up to the football pitch to the east of the site.

As Members are already aware, there was a procedural error whereby Officers determined the application when in fact it should have originally been determined by the planning committee. As a result the original decision was quashed in the High Court and the application has therefore reverted back to the Council to make a decision. A further round of public consultation has been undertaken and all associated comments have been taken into account when reconsidering this decision.

This application seeks outline consent with all matters reserved except for access, for the residential development of up to 10 dwellings.

In terms of background, the application site and the neighbouring parcel of land have both sought planning approvals in the past with the application site having been granted permission for residential development in the form of apartments in 2006 and 2008.

A larger site which incorporated the application site was however refused due to the impacts on the character of the area and cemetery, this was also dismissed on appeal with the inspector agreeing that the larger development site would have affected the character of the area and the Cemetery.

With regards to the merits of this application, the site is the same as that with gained residential permission back in 2006 and 2008. It lies within settlement limits, has no specific planning policy designation and is within a sustainable location. As it is an unallocated site there is no direct conflict with any Local Plan Policies which would mean the site would be unsuitable for residential development.

Whilst the site is large, the level changes and presence of mature trees mean it is heavily constrained and following concerns raised by Officers the applicant has revised the proposals down to 10 dwellings. Nevertheless it is considered that 10 dwellings could be accommodated on the site although much will depend on dwelling size and location which would be fully considered at the reserved matters stage.

RECOMMENDATION

That planning application 18/0409/OUT be approved subject to the following conditions and informatives below;

01 Approved Plans

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

Plan Reference Number	Date Received
1232/001D	23 February 2018

Reason: To define the consent.

02 Time Limit for Submission of Reserved Matters Application

Application for approval of the reserved matters shall be made to the Local Planning Authority no later than three years from the date of this permission.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning.

03 Time Limit for Commencement

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

04 Reserved matters - Details

Approval of the details of the layout, scale, appearance, and landscaping to the site (the reserved matters), shall be in accordance with the details of a scheme to be submitted to, and approved by the Local Planning Authority before development commences.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

05 Site Levels

No construction activity shall take place until there has been submitted to and approved in writing by the local planning authority, a plan giving details of existing and proposed site levels, including those of adjacent residential properties and finished floor levels of the hereby approved development. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development.

06 Construction Working Hours

No construction/demolition works or deliveries/ removals shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

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

- 07 **Number of Dwellings and Floor Space**
Notwithstanding the submitted information the approved development shall have no more than 10 residential units. In addition, these hereby approved dwellings shall not exceed a combined total floor space of 1000 square metres.
- Reason: To define the consent and ensure that the threshold for social infrastructure is not exceeded.
- 08 **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.
- 09 **10% Renewables or fabric first**
Prior to any commencement beyond the damp proof course of the development hereby approved and unless otherwise agreed in writing with the Local Planning Authority as being unfeasible or unviable, a written scheme shall be submitted to and approved in writing by the local planning authority which details how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or the use of specific building materials. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations or other such superseding guidance. Before the development is occupied the approved scheme of reduction shall have been implemented on site and brought into use where appropriate. The approved scheme shall 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.
- 10 **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 submitted in writing and approval by the Local Planning Authority.
- Reason: To ensure the proper restoration of the site should any historical potentially contaminative features located within 250m of the proposed development are discovered.
- 11 **Arboricultural Impact Assessment**
Prior to the hereby approved development undergoing any construction works and as part of the reserved matters application, an updated arboricultural impact assessment, to set out what trees are to be removed and protected within the application site, with precautions taken as per BS5837 Tree work recommendations, shall be provided and agreed with the local planning authority. Such details shall be carried out in full accordance with these approved details.

Reason: In the interests of preserving landscaping features and the visual amenities of the area.

Tree retention

- 12** Prior to the hereby approved development undergoing any construction works and as part of the reserved matters application, a detailed plan indicating all trees to be retained shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter all those trees marked to be retained shall not be removed and no other works shall be undertaken without the express written consent of the Local Planning Authority.

Reason: In the interests of preserving landscaping features and the visual amenities of the area.

- 13** **Ecological Checking Survey**

Prior to the submission of reserved matters, an ecology survey checking for the presence of protected species and suitable habitat shall be undertaken and be submitted and approved in writing by the local planning authority. All appropriate mitigation measures, if required, shall be incorporated into the reserved matters scheme. All works shall be carried out in complete accordance with the survey unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of identifying and protecting any ecological matters.

- 14** **Construction Management Plan**

Notwithstanding the submitted details, a construction traffic management plan shall be submitted and approved by the local planning authority before development commences. The construction management plan shall provide details of:

- the site construction access(es)
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials including any restrictions on delivery times;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, measures to be taken, including but not limited to wheel washing facilities and the use of mechanical road sweepers operating at regular intervals or as and when necessary, to avoid the deposit of mud, grit and dirt on the public highway by vehicles travelling to and from the site;
- measures to control and monitor the emission of dust and dirt during construction;
- a Site Waste Management Plan;
- details of the HGVs routing including any measures necessary to minimise the impact on other road users;
- 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 protecting the amenity of local residents.

- 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 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;

- Detailed design of the surface water management system;
- A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- 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 the site or the surrounding area, in accordance with the guidance within the Local Plan and the National Planning Policy Framework

17 Discharge of Surface Water implementation

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

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 said building

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

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.

18 Flood Risk Assessment

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Surface Water Management Strategy dated July 2019 report no 4948/FRA01A and the following mitigation measures detailed within the FRA

Discharge rate from the development is to be restricted to 5l/sec into the Old River Tees.

Details of how surface water flows entering the proposed development site, (highlighted on the EA flood maps), are to be managed.

An allowance of 10% is to be provide within the drainage design for Urban Creep.

The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

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: Northern Gas Networks

The applicant should contact Northern Gas Networks 0800 040 7766 to ensure no nearby apparatus is at risk during construction works.

Informative: Reserved Matters

When submitting the application(s) for reserved matters; the reserved matters should include the following details;

- *"access", means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;*
- *"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;*
- *"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;*
- *"scale" means the height, width and length of each building proposed within the development in relation to its surroundings;*
- *"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—*
 - (a) screening by fences, walls or other means;*
 - (b) the planting of trees, hedges, shrubs or grass;*
 - (c) the formation of banks, terraces or other earthworks;*
 - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; &*
 - (e) the provision of other amenity features;*

Informative: Ecological Checking Survey

This shall be carried out prior to the submission of the reserved matters application because this will help inform the layout of this residential development.

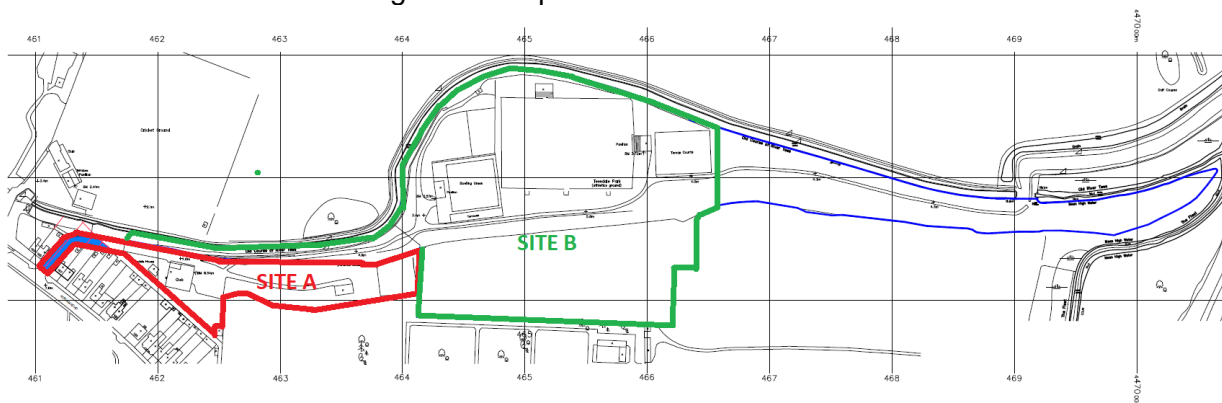
Informative: Section 278 and 38 Agreement

A Section 278 Agreement and a separate Section 38 Agreement would need to be entered into regarding the highway and footpaths as part of this development. All costs of the highway works as part of the Section 278 Agreement would have to be met by the applicant.

BACKGROUND

1. The application site and the neighbouring parcel of land have both sought planning approvals in the past. For context the two main areas are shown on the map below;

Fig 1. Development sites context



2. The application site (site A) has previously been granted planning approval for residential development back in 2006 for a scheme consisting of 50no. flats across three apartments blocks (ref; 04/0627/FUL). A further development for 48 no. two bedroom apartments and 16 no. one bedroom apartments was also approved in 2008 (ref 08/1240/FUL). This development was also renewed in 2011 (ref; 11/2397/RNW) although the development was never implemented and the permission lapsed.
3. A further application, (which incorporated both sites A and B) then sought approval for up to 60 residential dwellings alongside the re-development of the existing football club facilities (ref; 14/2876/OUT). This application was refused in March 2016 on the grounds of the impact on the character of the area given the presence of green space, landscaping and open areas; and, the impact on the Cemetery, given the likely pressure to remove protected trees and the unacceptable impacts this would have on the character of the Cemetery.
4. As part of the appeal, the Inspector considered the effect of the proposed development on the character and appearance of the area with particular regard to protected trees and Thornaby Cemetery and, the effect of the proposal on the provision of sports and recreation facilities in the area and whether adequate provision is made in respect of affordable housing, education, highways infrastructure and employment and training.

The appeal was dismissed as the inspector considered that;

- The built form would change the open character of the site adjacent to Thornaby Cemetery
- A number of trees adjacent to the Cemetery make a valuable contribution to the setting of the Cemetery and wider landscape.
- The removal and replacement of trees, alongside the presence of dwelling was considered to alter the setting of the Cemetery.
- The development did not secure the required 15% affordable housing.

5. In terms of this application, as Members are already aware, there was a procedural error and the application should have originally been determined by the planning committee. As a result our original decision was quashed in the High Court and the application has therefore reverted back to the Council to make a decision. A further round of public consultation has been undertaken and all associated comments have been taken into account when reconsidering this decision.

SITE AND SURROUNDINGS

6. As detailed above, this application relates to site A as shown in Fig 1 and relates to an area of land behind the residential dwellings on Acklam Road. It is located to the north of these dwellings and south of Thornaby Football Club. The site comprises an area of hardstanding as part of old football club as well as an area of woodland that links up to the football pitch to the east of the site.

PROPOSAL

7. This application seeks outline consent with all matters reserved except for access, for the residential development of up to 10 dwellings. Much of the final details of the scheme will therefore fall to the reserved matters stage for full consideration.
8. Following concerns by Officers over the ability of the site to accommodate 26 dwellings the scheme was amended to its current form.

CONSULTATIONS

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

Principal Environment Officer

Further to application 18/0409/OUT above, for 10 dwellings, I responded with comments in March 2018 on the Environment Policy requirements for an energy statement and emissions reductions. The Local Plan has since been adopted, and in accordance with Local Plan policies ENV1 and ENV 3, the applicant under the current plan is required to submit an 'Energy Statement' detailing the predicted energy consumption and associated CO2 emissions of the development, and detail how:

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

Environmental Health Unit

I have no objection in principle to the development, subject to the imposition of the following advisory conditions: *Construction/ Demolition Noise*. I would also recommend the conditions as detailed be imposed on the development should it be approved: *Noise disturbance from adjacent road traffic & Dust Emissions*.

Contaminated Land Officer

I have reviewed the historical environmental records held by this Local Authority and have found no grounds for objection in principle to the application. I would advise however that the Unexpected Land Contamination condition is applied to any future development due to the

location of historical potentially contaminative features located within 250m of the proposed development.

Tees Archaeology

We have previously commented on this site as part of application 14/2876/OUT and these comments remain valid for the site as a whole. However the current proposals are for the linear western part of the site only. This area is of low archaeological potential and no further work is required.

Chief Fire Officer (Cleveland Fire Brigade)

It should be confirmed that any 'shared driveways' meet the minimum carrying capacity requirements as per AD B (2019 edition, unless otherwise stated) Section B5, Table 13.1.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5tonnes, which is greater than the specified weight in AD B Section B5, Table 13.1.

Access and Water Supplies should meet the requirements as set out in AD B Volume 1, Section B5 for Dwellings.

Further comments may be made through the Building Regulation consultation process, as required.

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.

Cleveland Police

No comments were received in respect to the proposed 10 dwellings

Ward Councillor Mick Moore

I wish to object to this planning application

Once again another re-application is seeking to erode Thornaby's Green Wedge areas. The site has been designated as a park, the last application was rejected by the inspector describing it as green open space and bordering on an award winning cemetery nothing has changed there, that alone is grounds for refusal.

The loss of valuable playing fields in a designated park would have an effect children's and adults right to sport for all. The destruction of mature trees which are covered by a tree preservation order is not acceptable the area is linked into one of Thornaby's nature trails.

The access to the site is from one of the busiest roads in Thornaby and would cause untold problems to residents and other road users. Acklam road is regularly used as a main arterial link whenever Highway repairs or accidents occur on both the A19 and the A66.

Huge amounts of traffic cause the area to become grid locked, this affects the entrance to Thornaby Cricket Club, Thornaby FC, Thornaby Golf Club and will affect the proposed development. Additional traffic from the proposed development would further exasperate the problems of access in this area. This part of Acklam Rd has a history of crashes and even a fatality.

AGAIN I WOULD LIKE TO STRESS.

The site has been designated as a park, the last application was rejected by the inspector describing it as green open space and bordering on an award winning cemetery nothing has changed there, that alone is grounds for refusal.

Ward Councillor Ian Dalgarno

This application has not changed since the last application was refused and subsequent appeal dismissed.

Thornaby Town Council

Full comments can be viewed online at;

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

But the main points are summarised below:

- The original application was rejected at appeal due to the impact upon the open aspect, proximity to Thornaby Cemetery and the impact upon established trees.
- This application would lead to further development on the rest of the 'recognised parkland.'
- Concerns on the impact upon parkland/ green open space/ green wedge as well as the loss of a playing field.
- Impact upon the character of the area, particularly with regards to the cemetery.
- The tree survey is not up to standard of the changes that have taken place. There would be impact upon the established trees and their roots on this site.
- Concerns over the access including concerns regarding a sewage interceptor
- Concerns on highway safety
- Impact upon the walkways for the area i.e. Thornaby's nature trails
- Impact upon wildlife and the natural habitat for this site
- The site is a heritage asset
- There has been pressure from the developer on neighbouring residents
- The site is not previously development land
- Concerns over flooding

Natural England

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

Highways Transport & Design Manager

Highways Comments

The proposed development is for up to 10 dwellings with all matters reserved except for access.

Access

The proposed development would utilise the existing access from the A1130 Acklam Road which currently serves the Thornaby Football Club and 10 private garages. The A1130 Acklam Road is subject to a 30mph speed limit in the vicinity of the access and has dedicated on street parking, protected by build outs, along the northern side of the carriageway on either side of the existing access.

The proposed access would include the provision of a dedicated right turn facility, on the A1130 Acklam Road, and the upgrading of the existing access to include footways, street lighting and traffic calming features with a carriageway width of 4.8m. Whilst the access proposals are acceptable in principle, the detailed design of the layout would have to be undertaken to the satisfaction of the Highway Authority and agreed as part of a Section 278 Agreement. All costs of the highway works would have to be met by the applicant.

The proposed footpath, shown on drawing ref 1232/012B, immediately to the rear of 107,109,111 & 113 Acklam Road would not be suitable as it is in close proximity to existing garages. A footpath as shown is not required on both sides of the access road and as such, the precise layout of hard surfacing, highway and footpath for the part of the site to the rear of 107,109,111 & 113 Acklam Road could be conditioned to achieve satisfactory provision were permission to be granted.

Traffic Impact

Utilising the previously accepted trip generation rates, the traffic associated with the proposed development is shown in Table 1 below.

Table 1: Vehicle Trip Generation (for 10 dwellings)

	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
Trip rate	0.225	0.523	0.748	0.500	0.319	0.819
Trips	2	5	7	5	3	8

This table shows that the proposed development would result in an extra 7 trips (2 inbound / 5 outbound) in the AM peak and an extra 8 trips (5 inbound / 3 outbound) in the PM peak.

The figures shown in Table 1 have then been adjusted to take account of the use of the 10 existing private garages currently served by the proposed access and are shown in Table 2.

Table 2: Vehicle Trip Generation (for 10 dwellings + 10 Private Garages)

	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
Trips	4	10	14	10	6	16

Table 2 shows that the proposed development including the use of the existing private garages would result in 14 trips (4 inbound / 10 outbound) in the AM peak and 16 trips (10 inbound / 6 outbound) in the PM peak.

Whilst it is accepted that the local road network experiences peaks in traffic flow, the additional traffic generated by the proposed development would not add significantly to the traffic flow to warrant a highway objection.

Development Layout

The application is in outline only with all matters reserved except for access. The proposed plans, show a development layout of 20 dwellings whereas the application is for only 10 dwellings. The plans must, therefore, be considered indicative only and the detailed design of the development should be designed and constructed in accordance with the Councils Design Guide and Specification and Supplementary Planning Document 3: Parking Provision for New Developments (2011).

Any Reserved Matters application for the detailed elements of the site would also need to be supported by information on refuse collection and storage along with swept path analysis (autotracking) of large vehicles around the site.

Any surface water feature which is identified within the Flood Risk Assessment and Surface Water Management Strategy requiring vehicular maintenance operations must be fully accessible from the adopted highway.

The applicant would need to enter into a Section 38 Agreement for the highway and footpaths which would become highway maintainable at the public expense.

Football Club

The application will need to demonstrate, at Reserved Matters stage, how the users/supporters of the existing football club would be prevented from parking within this proposed residential development which could be to the detriment of highway safety and residential amenity.

Sustainable Links

Due to the isolated location of the development sustainable links must be provided, by this application, to the surrounding area to ensure good connectivity. The land immediately to the south of the Old River Tees, east of the proposed development is in the ownership of the football club. It is considered that two footpath connections must be made as part of any consent and secured through a s106 agreement:

- At the eastern end of the land, by the sluice gate, the footpath connection North to South needs to be permanently established. This short section would connect the access from the British Land site to the North, with Thornaby Cemetery to the South. This is an essential part of the Thornaby Trail;
- The existing informal footpath connection through the applicant's land south of the Old River Tees should be permanently established, connecting the proposed development to the Thornaby Trail to the east.

These footpath links shall be constructed to a specification approved by the Local Authority, and on completion be added to the Council's definitive list of Rights of Way (RoW). The legal process for the RoW Order will be at the expense of the applicant.

Any reserved matters application would have to provide details on the future management in perpetuity of the RoW.

Bus stops are located on the Mitchell Avenue and Thornaby Road, with the nearest stops being approximately 500m (southeast) of the site access, which provide access to the 17 bus service.

Thornaby railway station, which offers services in each direction, providing access to Middlesbrough, Yarm, Newcastle, York, Leeds and Manchester is also within 2km of the proposed development.

Whilst the nearest bus stop is outside of the recommended 400m walking distance the site, due to the proximity of the train station, is considered to be in a sustainable location subject to agreement of a Travel Plan and the creation of sustainable connections.

Construction Management Plan

A Construction Management Plan would be required in order to ensure that construction works do not have a detrimental impact on the highway.

Landscape & Visual Comments

The applicant has agreed a revised description for the proposals reducing the quantum of development from 20 dwellings to 10 dwellings, however none of the information previously submitted in support of the proposals has been updated in line with the new description.

Therefore, at this stage, full Landscape and Visual comments cannot be provided, but if the application proceeds to Reserved Matters the following aspects of the application will require to be considered:

- As noted previously it would be beneficial to provide a landscape and visual impact study to inform the layout and any implications of the development on local character and visual amenity, and for this study to inform the final layout and necessary mitigation;
- No indicative site layout has been provided. A parameters plan will be required to inform the layout. The plan indicating the constraints of the site (tree root protection areas, shade from retained trees), potential area to be developed etc;
- Information relating to site trees so that the impacts of the development on existing trees, and the potential number of trees to be lost can be fully understood;
- Due to the isolated location sustainable links as advised within the Highway Section must be provided by this application, to the surrounding area to ensure good connectivity.

It is recommended that the above, along with the standard suite of controlling conditions be included with any recommendation for approval.

Public Open Space

In accordance with 'Supplementary Planning Document 6: Planning Obligations' adopted May 2008, should the application be approved, a contribution to off-site open space would be required.

Based upon a mix of 5no. 3 bed houses and 5no. 2 bed houses the anticipated open-space off-site contribution would be as follows (minimum cost which will be subject to an inflationary uplift).

	Standard Charge per Person	Total Charge for Development
Open Space	£458.71	£11,467.75
Open Space Maintenance	£510.84	£12,771.00
	Total	£24,238.75

Flood Risk Management

The Lead Local Flood Authority is unable to comment on this application until an up to date site specific Flood Risk & Drainage Strategy including a site layout drawing has been provided.

PUBLICITY

10. Neighbours were notified and wider publicity has been given to the application via press advert and site notices. A total of 8 objections have been received, the objectors and the associated comments are set out below (in summary).

Objectors;

1. Mr Jonathan Woodcock, 115 Acklam Road
2. Mr/ Mrs Goggs, 113 Acklam Road
3. Linda Flynn, 92 Acklam Road
4. Mr Stephen Bell, 94 Acklam Road
5. Mr Ian Dalgarno, 59 Bader Avenue
6. Mrs Maud Mallon, 109 Acklam Road
7. Mr Glenn Eastick, 48 Wensleydale Gardens
8. Dean Richardson, 4 Bardsey Square

Objections;

- Their comments can be viewed in full online, but the main concerns are summarised below;

- It is unwanted/ unsuitable development and has been refused in the past
- Impact upon views
- Removal of mature trees will impact upon the character of the area
- Concerns on access arrangements and car parking provision which is currently insufficient.
- Concerns of walkways being built to the rear of the properties along Acklam Road, as well as their garages being blocked
- Concerns with highway and pedestrian safety. The existing road network is already busy.
- Would there be an impact to the sewage system from the widening of the road?
- Impact upon parkland, cemetery and walkways which will no longer be a 'peaceful'
- Impact upon green belt and the local wildlife

PLANNING POLICY

11. 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.
12. 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

13. 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.
14. 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

15. 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.

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.

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.

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.

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.
- 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.
- 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.
- 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.

Transport and Infrastructure Policy 1 (TI1) - Transport Infrastructure

New Development

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:

- a. Transport choices are widened and the use of sustainable transport modes are maximised. New developments provide access to existing sustainable and public transport networks and hubs. Where appropriate, networks are extended and new hubs created. When considering how best to serve new developments, measures make best use of capacity on existing bus services before proposing new services and consideration is given to increasing the frequency of existing services or providing feeder services within the main network.

- b. Suitable access is provided for all people, including those with disabilities, to all modes of transport.
- c. Sufficient accessible, and convenient operational and non-operational parking for vehicles and cycles is provided, and where practicable, incorporates facilities for charging plug-in and other ultra-low emission vehicles. Any new or revised parking provision is of sufficient size and of a layout to facilitate it's safe and efficient operation.
- d. Appropriate infrastructure is provided which supports Travel Demand Management to reduce travel by the private car and incentivises the use of sustainable transport options.
- 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.

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.

8. Within critical drainage areas or other areas identified as having particular flood risk issues the Council may:

- a. Support reduced run-off rates.
- b. Seek contributions, where appropriate, towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.

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.

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

5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted

unless it can be demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.

MATERIAL PLANNING CONSIDERATIONS

16. The main planning considerations of this application are the principle of development, the impacts upon character and amenity, as well as any implications for highway safety.

Principle of Development

17. Under the adopted Local Plan the application site lies within the limits to development and is not allocated for another land use. Additionally, the extent of the proposed application site lies outside of the defined green wedge or other open space designations. The site is therefore unallocated. The proposal for housing on the site therefore does not result in any specific conflict with planning policy. Further, it is considered to interconnect within the existing urban settlement and so is considered to be sited in a sustainable location. The development would link with existing transport links and it is also considered to be within proximity to other public transport modes within this area.
18. Local and national policy does support housing growth in order to maintain a rolling five year supply of deliverable housing. While a smaller housing scheme, it is considered that this proposal would contribute to additional housing for the borough which would be in line with planning policy. Policy SD3 also supports residential development sites within the limits to development and within the conurbation, in which this development is generally considered to be in line with, with it being situated on the edge of an existing settlement.
19. It is also noted that the principle of residential developments on this site have been accepted in the past and therefore the principle of this use on the site has been established. Whilst there is a recently adopted Local Plan, it does not fundamentally change or affect the historic position on the appropriateness of residential development on the site.
20. Whilst it is noted that the most recent application (of 2014) was refused, this related to a larger site area than that of this proposal. As such despite some comments stating that the development has not changed, both the site area as well as the number of residential units has been significantly reduced to what was refused in 2014. For clarity, the application site is the same as what was granted permission for an apartment scheme.
21. The number of units have also been reduced to 10 dwellings. Under national planning guidance developments of less than 10 units and 1000 square metres are not required to provide Planning obligations. Following discussions with the Planning agent it was agreed that they were willing to accept a planning condition to ensure the floor space threshold was not exceeded and thereby not require a planning obligation. Consequently a condition has been recommended so that the total housing floor space cannot exceed 1000 square metres and the agent has agreed with this.
22. The requirement for social infrastructure such as affordable housing and open space is therefore not met and comments relating to these requirement are no longer considered relevant to the revised application.
23. Comments were made about the loss of playing fields but this development would not encroach onto any playing fields and the road to serve these dwellings would also provide as an access route to the fields if required.
24. As the land is not allocated for another use, nor is it formally designated in local planning policy, the principle of residential development on this application site is considered to be acceptable.

Character

25. The application site is located on the edge of a defined green wedge which runs north, east and south of the application site. In addition, to the east of the application site is defined open space. There is a comment which makes reference to the site having a significant heritage value, but there is no policy to protect this area of land in this regard.
26. The site becomes more elevated when going eastward and it is a mixture of hardstanding and established planting and mature trees. However, to the west of the site, the development is considered to be read in conjunction with the existing dwellings off Acklam Road. The linear form of development is also considered to be suitable for this area of land. But it is noted that the finer details of the positioning and height falls to future consideration. As such the comments from the Cleveland Fire Brigade about shared driveways and the length to reverse a 'fire appliance', would need to be dealt with at the reserved matters stage.
27. This proposed linear layout along with some limited tree removals would potentially alter the views from the northern boundary of the cemetery, which is also acknowledged within previous landscaping comments. However, it is noted that there are existing residential dwellings that do abut the western side of the cemetery (namely 137 - 141 Acklam Road) and so the presence of dwellings adjacent the cemetery is not necessarily uncommon. Nevertheless, the remaining trees would help soften views to the development and the proposed domestic gardens would help create a 'buffer' between the development and cemetery. The introduction of further appropriate landscaping would also help to mitigate this impact.
28. The details regarding the final layout, scale and appearance of the units along with the associated landscaping fall to the reserved matters and at this stage the full impact on the wider visual amenities will be considered. Nevertheless, given the site constraints and reduction in the number of units sufficient land is available to accommodate 10 units and would also allow a development that would not be 'densely packed' together.
29. In addition, the inspectors report for the previous 2014 appeal (ref; H0738/W/16/3157935) also considered the area adjacent the cemetery which is what this application site is now assessing (see appendix 3). While they noted the removal and replacement of trees for the development would alter the setting of the cemetery, and be more visible to mourners/ visitors, they did accept that the visibility of this part of the housing would lessen in time as the replacement trees matured. Consequently, the inspector concluded the following; "*Although the outlook from the cemetery would change, I do not consider the visibility of dwellings from the cemetery to be incongruous.*"
30. With regards to 'ambiance' levels of this area, there are no controls with regards to the existing walkways up to the football pitch. As such the noise generated from domestic dwellings are not considered to be significantly worse than the existing uses around this area. With respect to the construction noise, this is noted to be of a temporary period while the development is being built and has been controlled by way of a condition. So on balance, the development is not considered to significantly detract from the character of this area in this regard, as to warrant a strong enough reason for refusal.

Trees

31. The previous appeal did consider the impact on the character of the site and its setting amongst the mature trees. However, this decision was in relation to a much larger site area and for residential units up to 60 dwellings. This application site is smaller, although, throughout this planning application the applicant has been advised that owing to the site levels and protected trees that the site is very constrained in nature. This has led to a much reduced form of development to 10 residential units. Consequently, it is considered that 10 residential

units can be accommodated and that this would allow greater flexibility for the final form of development, ensuring that trees can be retained and greater separation is provided to remove future pressures for their removal. Recent landscaping comments generally accept the principle of development in this regard, providing up-to-date tree information is provided as part of the detailed reserved matters scheme.

32. It has been previously acknowledged within the landscape architects comments, that new soft landscaping would be required, especially to help mitigate tree losses. Such details can be put together at the reserved matters stage. But owing to the likely plot sizes of each house and the surrounding site, that there will be scope for adequate landscaping.

Ecology

33. No objections have been raised by Natural England and the submitted Ecology Report did not raise any specific concerns, but did note that further site assessments would be required. This report concluded that there was the potential for roosting bats, and areas for badger and water voles to occupy. However, this survey was carried out in February 2018 and it is considered that this situation may have changed prior to a reserved matters application. But given that there were no substantive impacts raised in the submitted ecology report, it is considered appropriate in this instance to place a condition to request that this report/ site assessment is carried out prior to reserved matters submission, especially as this may inform the layout of this development.

Amenity

34. Whilst the final details would fall to the reserved matters stage, sufficient space exists to ensure separation distances can be achieved from the existing dwellings to the proposed dwellings (in excess of 21 metres), to not adversely impact upon amenity levels. It is also considered that the development can also be arranged so as not too adversely upon the amenity of future occupants. Due to the position of the proposed dwellings in relation to the main road, the request for the noise survey and dust emissions scheme has not been conditioned.
35. There was a concern that there would be significant tree shading to the proposed dwellings and rear gardens. However, as the number of units have been reduced, it is considered that there is further scope to place the dwellings in a position that would be away from the larger trees but to also allow larger garden areas so that the rear garden is not fully in shade. On balance, and given that this is an outline consent, the development is considered to be acceptable in this regard.

Highway Safety

36. No highway safety objections have been raised with respect to the access to the development and reference is made to a Section 278 agreement and Section 38 Agreement, which has been attached as an informative for the developer. There is also no highway objection to the addition this development would create to the local road network, because based on the information provided, it is not considered to significantly add to the traffic flow as to create a highway safety issue.
37. No objections have been raised regarding car parking provision but such comments do acknowledge that additional information would need to be provided for the housing layout. As such, the developer would need to provide information on refuse collection and storage along with swept path analysis (auto tracking) of large vehicles around the site. However, no objections have been raised in principle with respect to the internal layout of the development.
38. Within the highway comments there is reference to a footpath to the rear of the residential dwellings on Acklam Road not being suitable and also not being required. They concluded that this could be conditioned but it is considered that this could be resolved as part of a reserved matters application. Reference has also been made to sustainable links, but owing to the

number of dwellings, it is not considered that there is any further requirement to request the developer does apply this.

39. Neighbour concerns have been raised in regards to where parking would occur for the use of the football pitch to the east of this application site. Informal discussions have been had about expanding the existing car parking provision to the football club at the north of the site, as well as introducing parking restrictions if required along this new residential development. An argument was also put forward by the applicant to suggest that the current hardstanding around the disused club house has not been kept to a standard which would encourage car parking. This proposed development can only consider the impact from the housing which will fall to the reserved matters stage.
40. It should be noted that the planning department cannot consider or place restrictions on adverse car parking on any existing situations that may have or may be occurring around this site and Thornaby Football Club. A construction management plan is also to be provided to help manage traffic during the construction phase.
41. Objection comments have made reference to their rear garages being blocked by the development, but the rear access road would remain as an access road. The dwellings would provide their own residential car parking and so there would be no requirement to block any driveways or garage areas of these properties along Acklam Road. Currently this road serves as an access road in which this development is not considered to significantly worsen this situation.

Flood Risk

42. Recent comments from the flood risk management team state that no comment can be made until an up to date site specific flood risk and drainage strategy and layout is provided. The comments before this states that the information previously provided was sufficient to show that a surface water runoff solution can be achieved, but it was noted that a detailed design for the management of surface water runoff was required. As such the principle of development is considered suitable in this regard, subject to the attached condition.

Residual Matters

Previous Comments

43. Previously made comments on other applications cannot be taken into consideration under this planning application.

Past History of this Site

44. Thornaby Town Council have given a brief overview of the history of this site and wider area in terms of their dealings with the owner/ developer. Reference is also made about the football club not being able to use the upper football pitch (to the east of this application site). However, such matters cannot be taken into account in the assessment of this application which has been considered and assessed on the basis of the material considerations identified within this report.

View

45. In relation to those concerns about the impact upon the view from properties, this is not a material planning consideration and has not been considered as part of the determination of the application.

CONCLUSION

46. The site lies within settlement limits, has no specific planning policy designation and is within a sustainable location. As it is an unallocated site there is no direct conflict with any Local Plan Policies which would mean the site would be unsuitable for residential development.
47. Whilst the site is large, the level changes and presence of mature trees mean it is heavily constrained and following concerns raised by Officers the applicant has revised the proposals down to 10 dwellings. It is considered that in principal 10 dwellings could be accommodated on the site although much will depend on dwelling size and location which would be fully considered at the reserved matters stage.
48. In all other regards the proposal is considered to be acceptable in planning terms and it is recommended that the application be approved subject to the conditions outlined in this report.

Director of Economic Growth and Development
Contact Officer Christina Poles Telephone No 01642 526063

WARD AND WARD COUNCILLORS

Ward	Mandale And Victoria
Ward Councillor	Councillor Luke Frost
Ward Councillor	Councillor Tina Large
Ward Councillor	Councillor Steve Walmsley

IMPLICATIONS

Financial Implications:

Not applicable.

Environmental Implications:

This has been addressed within this 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

Local Plan – Publication January 2019

Supplementary Planning Documents

SPD3 – Parking Provision for Developments