

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

26 August 2020

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

20/0344/VARY

Tall Trees Development, Green Lane, Kirklevington

Section 73 application to vary condition no.2 of planning approval 15/2152/REM - Reserved matters application (appearance, landscaping, layout and scale) for planning approval 13/2568/EIS - Phase 2 for the erection of 149 dwellings and open space.

26 August 2020

SUMMARY

Outline planning consent was granted in 2014 for up to 330 dwellings on land located at the former Tall Trees site (13/2568/EIS). A previous reserved matters application (15/2125/REM) was approved in 2016 and the principle of the development was established.

This application has been submitted to vary the previous approval of reserved matters and to provide the delivery of a new range of house types from Broadacres and Yorvik Homes. The proposal comprises the same number of dwellings as previously approved.

The proposed scheme would increase the range of smaller housetypes across the site and would incorporate a mix of 2, 3, 4 and 5 bedroomed two storey dwellings and would broadly following a layout which has already been approved.

The mix of affordable and market housing has changed from that initially approved and now incorporates market housing, affordable homes for rent alongside a shared ownership option. For clarity, the application has been assessed in terms of the amount, type and tenure and is considered to be an appropriate form of development.

A total of 66 objections have been received with the majority concerned over; the impact on the character of the new housing estate (as a result of smaller homes); the change to the demographics of the estate; this application being beyond the scope of section 73; disproportionate level of social housing above the requirement of local plan; and increases in traffic.

The variation of the reserved matters application has followed the principles of the indicative outline planning application proposals and previously approved reserved matters application.

The site already has planning approval for a residential development and change to the housetypes are not considered to fundamentally change the impacts of the development to existing infrastructure over and above that already approved.

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.

RECOMMENDATION

That planning application 20/0344/VARY be approved subject to the following conditions and informative set out below:-

01 Approved Plans

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

Plan Reference Number	Date Received
1774-01D (SHEET 1 OF 3)	27 July 2020
1774-02D (SHEET 2 OF 3)	27 July 2020
1774-03D (SHEET 3 OF 3)	27 July 2020
SD-100.01 REVC	27 July 2020
SD-200-02 REV C	12 June 2020
20 5377 - 10	10 February 2020
20 5377 - 20	10 February 2020
20 5377 - 21	10 February 2020
20 5377 - 24	10 February 2020
20 5377 - 25	10 February 2020
20 5377 - 26	10 February 2020
20 5377 - 27	10 February 2020
20 5377 - 28	10 February 2020
20 5377 - 29	10 February 2020
20 5377 - 30	10 February 2020
SD.100-03 REV D	12 June 2020
SD.100-04 REV B	12 June 2020
SD.100-06 REV B	12 June 2020
SD.200-01 REV B	12 June 2020
SD.200-03 REV D	12 June 2020
SD.200-04 REV A	12 June 2020
SD.200-05 REV C	12 June 2020

Reason: To define the consent.

02 Limits of Consent

This approval relates solely to this application for the approval of the variation of Reserved Matters and condition 2 of 15/2152/REM. It does not in any way discharge conditions contained within the Outline Planning Approval reference 13/2568/EIS 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 Tree Pit Details

No development shall be commenced until the Local Planning Authority has approved in writing the details of arrangements for the planting of trees within the adopted highway to ensure a suitable tree pit package and soil volume will be provided for each tree, and that the adopted highway is protected from future tree root damage.

Reason: To ensure the longevity of trees within the adopted highway prevent future damage by tree roots.

04 Trees adjacent to the adopted highway

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 2 metres.

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

05 Permitted Development Rights means of enclosure

Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order) no gates, fences, walls or other means of enclosure shall be erected between the front or side wall of any dwelling which the curtilage of the dwelling fronts or abuts.

Reason: In order that the local planning authority may exercise further control in order to protect the amenity of adjoining residents.

06 Removal of PD Rights – Class A Householder

Notwithstanding the provisions of class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based.

07 Hedgehogs Fencing

Notwithstanding the submitted information, prior to the erection of any fencing details of the specification for holes in boundary walls and fences at ground level to allow for the movement of hedgehogs shall be submitted to and be approved in writing by the Local Planning Authority. The agreed works shall be implemented in accordance with the agreed details and be retained thereafter for the lifetime of the development.

Reason: In compliance with the requirements of the NPPF.

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: Secure by Design Gold Standard

The applicant should consider working alongside the Crime Prevention Officer to reach the gold standard for secure by design principles. Secured by Design details are available at the following website <https://www.securedbydesign.com/contact-us/national-network-of-designing-out-crime-officers?view=article&id=308#cleveland-police>.

BACKGROUND

1. In 2014 Outline planning consent was granted for a housing development subject to a section 106 agreement comprising approximately 330 dwellings and associated roads, landscaping and public open space (13/2568/EIS).
2. In 2015 the first phase of the Reserved Matters was approved for 139 dwellings open space, sports facilities and community allotments and pavilion. (15/1639/REM).
3. A further Reserved Matters approval was granted in 2016 for the second phase of the development for 149 dwellings and open space. (15/2152/REM). This is the permission to which this application relates.

SITE AND SURROUNDINGS

4. The application site relates to part of the Tall Trees development located towards the southern area of Yarm. Vehicular and pedestrian access to the site is taken from the B1264 Green Lane, which forms the northern boundary. To the west is the first phase of the development provided by Avant Homes and to the east are a group of cottages. To the south of the site, the land slopes down towards Saltergill Beck and Woodland area.

PROPOSAL

5. This planning application seeks planning consent to vary the approved plans of the second phase of the Reserved Matters approval for 149 dwellings for appearance, landscaping, layout and scale at the Tall Trees site in Yarm (15/2152/REM). The scheme would provide the delivery of a new range of house types from both Broadacres and Yorvik Homes comprising 2,3,4 and 5 bedroom properties. The scheme would provide 70 open market units, 50 shared ownership units and 29 affordable/socially rented units. A table is detailed below breaking down the percentage of each housing product.

Housing Units (149 Total)	Amount	Percentage (approx.)
Open Market	70	47
Shared Ownership	50	34
Socially Rented	29	19

6. The applicants' support statement explains how the shared ownership product would operate with it targeting those people wanting to step onto the home ownership ladder. Purchasers would be able to purchase a percentage of the property (from 25-75 %) who would pay a rent on the unsold equity. The purchaser would be able to increase their ownership to 100% over time, should they wish to do so. With respect to the affordable rented units, the applicant's statement explains that these will be delivered and managed by Broadacres Housing Association.

CONSULTATIONS

7. The following comments have been received following consultation;

Highways Transport & Design Manager

General Summary

The Highways Transport & Design Manager has no objections to the proposed development.

Highways Comments

The proposed site layouts, as shown on drawing SD.100-01 and 20 5377 10, and various house types have been reviewed and car parking for each dwelling has been provided in accordance with SPD3: Parking provision for Developments 2011. There are no highways objections to the proposals.

Landscape & Visual Comments

Revised plans have been submitted which resolve the issues raised previously regarding the trees along the main access to the site. The site now includes tree planting throughout the site which was considered to be an important feature of the outline application, although some further detail is required regarding the proposed tree pits within the adopted highway as the submitted plans do not provide sufficient soil volume, however this can be resolved under the proposed conditions. It is noted that landscape maintenance plan was included on the outline approval.

There are no landscape and visual objections to the proposal subject to the landscape conditions outlined in the informative section below.

Flood Risk Management

The Lead Local Flood Authority do not wish to provide any further comments on this application at this stage.

Spatial Planning

Paragraph 53 of the NPPF states that 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.'

The Housing Strategy (Policy SD3) of the Local Plan is consistent with this approach, with point 2 identifying the following (amongst others) as priorities for the Council:

- Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision...
- Providing accommodation that is affordable.

Policy H4.3 of the Local Plan sets out that the Council will 'require 20% of new homes to be affordable on schemes of more than 10 dwellings'. This requirement was calculated on the basis of the affordable housing need identified in the Strategic Housing Market Assessment (SHMA) and viability evidence supporting the Local Plan.

The evidence in the SHMA was based on a methodology that considered households in need of affordable housing at the time of the study, as well as a proportion of newly forming households that were expected to emerge over the plan period (2017 – 2032). The SHMA identified a total of about 3,500 households that would require affordable housing, the equivalent of 39.9% of the total housing need required for the Borough over the plan period.

The Local Plan was also supported by further evidence that sought to understand whether the policy requirements in the plan would affect the deliverability of new development. These assessments considered broad scenarios, which may not reflect the particular circumstances of this application. The studies concluded that in most cases it would not be possible to deliver an affordable housing requirement of circa 39.9%, and that a 20% requirement would be more appropriate.

Given all of the above, the 20% affordable housing requirement should not be considered as a ceiling on the level of affordable housing that should be delivered on a development site, especially as the development provides an opportunity to contribute towards a shortfall in affordable housing provision. It is considered that the total level of affordable housing resulting from the proposal would be acceptable in principle across the development site.

However, the application should be considered further against policy H4.1 to ensure that the development provides 'a mix and balance of good quality housing of appropriate sizes, types and tenures which reflects local needs and demands'.

Strategic Housing Manager

Sustainable development:

Great attention has been given to providing housing options that meet the requirements of all of our customers and discussions are continuing to ensure that a mixed and balanced cohesive community is achieved. I am therefore satisfied that the proposal has sensitively addressed the identified local housing need and provides a range of housing offers to meet community needs.

Housing Demand:

The last new build development of affordable homes advertised through the Choice Based Lettings (CBL) Policy for Yarm consisting of 14 units, generated the following customer response for the financial year ending 31st March 2020;

2 Bed House – 48 bids per property

3 Bed House – 34 bids per property

This illustrated a demand of more than 3:1 for 2 bed properties and nearly 3:1 for 3 bed properties.

Local Lettings:

Crucially, Stockton Borough Council are insisting on a local Lettings Policy for the site, this will include the shared ownership units and the 100% affordable rented. The Local Lettings Policy (LLP) will be negotiated with Broadacres HA and they are happy for a LLP to be in place for the Tall Trees site.

All New affordable homes will be allocated in accordance with a Local Lettings Policy which will give priority to those families in priority housing need that already have an established local connection to the area. The local connection criteria (to be agreed with the local Members before being introduced) has a number of aims/objectives;

- To allay any local fears that we will import large numbers of people from places external to the Borough that may destabilise the community
- To ensure we create a mixed and balanced community
- To ensure we give preference to those with a local connection to Yarm, Eaglescliffe and Ingleby East wards in housing need in the first instance
- To ensure the scheme remains affordable to the target audience
- To sustain local services, schools, provide key worker accommodation etc

A LLP for the site which basically means that we will restrict eligibility to the vacancies through applicants having to demonstrate a local connection which will probably be restricted to Yarm, Eaglescliffe and Ingleby East wards on the basis of previous residency, employment or training in the immediate area, carer responsibilities to somebody in the immediate area and / or immediate family already located in the immediate area. In some instances an LLP can cascade outwards geographically, but, would never extend to anyone currently residing outside of the Stockton Borough unless they could satisfy the local connection eligibility criteria.

Housing mix/layout:

In terms of the proposed mix and product tenure offer, I am supportive of the proposal and think that it responds well to the housing need requirement for the area.

The shared ownership housing is subject to a separate calculator used to assess the affordability of shared ownership units for individual applicants given their personal circumstances. Those eligible must not exceed a combined household income threshold (£80,000 per annum) and also not be an existing home owner.

With regards to the siting of the Affordable Housing units, the proposal is in full compliance with the Affordable Housing Supplementary Planning Document (SPD) and planning policy in respect of 'pepper potting' of different housing tenures and numbers throughout the site.

Crime Prevention Officer

Thank you for allowing me to comment on this development.

The area surrounding the proposed site has had little crime in the past twelve months. The whole idea of the service we offer is to work with a developer to implement measures that will reduce the likelihood of crime. There are a number of factors that determine whether a crime will take place, and these are the absence of a 'capable guardian' (target hardening measures), a 'likely offender' and a 'suitable target'.

With good management practices, and the developer implementing the Secured by Design standard, the chances of crime occurring will be reduced.

I note from the Design & Access Statement that the applicant mentions the Secured By Design standard. We would encourage the developer to achieve the Gold standard for this development, because it not only deals with the physical security requirements within the proposed homes, but also the design and layout of the estate.

I hope that the developer will choose to work with us to achieve a Secured by Design award. There are no fees or charges associated with this, and the certificate could be used to actively market the site. My contact details are available from the Secured by Design website <https://www.securedbydesign.com/contact-us/national-network-of-designing-out-crime-officers?view=article&id=308#cleveland-police>.

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. Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make. I trust this information is helpful to you, if you should require any further information please do not hesitate to contact me.

Northern Gas Networks

Northern Gas Networks acknowledges receipt of the planning application and proposals at the above location. 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. We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows

only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue.

PADHI Health & Safety Executive

Do not advise against.

Sabic UK Petrochemicals Ltd

Please note the Planning Application 20/0344/VARY will not affect SABIC/Ineos high pressure ethylene pipeline.

Northern Powergrid, National Grid were consulted and no comments were received. Ward and Parish Councillors were consulted and no comments were received.

PUBLICITY

8. Representation comments of objection were received from 66 households. 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/>

Objectors

1. Mrs Annette Mitchell 1 Ash Drive Yarm
2. Mr Richard Bell & Miss Donna Russell - 8 Ash Drive Yarm
3. Mr Huw Roberts, Mrs Alison Roberts & B Roberts - 10 Ash Drive Yarm
4. Mr Geoffrey Trattles & Mrs Angela Trattles -12 Ash Drive Yarm
5. Mr Peter Mitchell - 14 Ash Drive Yarm
6. Mr Philip Robson – 9 Allerton View Yarm
7. Ms Beth Foster – 22 Braunton Way Yarm
8. Mr Christopher Gore & Ms Lorna Richards - 1 Elms Way Yarm
9. Mr Timothy Taylor - 4 Elms Way Yarm
10. Mr Philip Johnson - 6 Elms Way Yarm
9 Mrs Lucy Payne - 13 Elms Way Yarm
11. Mr Scott Cowie - 15 Elms Way Yarm
12. Dr Yousef Atallah & Mrs Odette Atallah - 17 Elms Way Yarm
13. Ms Emily Cooke - 20 Elms Way Yarm
14. Mr James Simpson & Ms Rachel Simpson - 22 Elms Way Yarm
15. Mr Anthony Hoban – 16 Galatea Road Yarm
16. Mr Ben Cattell – 34 Galatea Road Yarm
17. Mr Daniel Chisman- Berry – 35 Galatea Road Yarm
18. Mr Ben Smyth – 40 Galatea Road Yarm
19. Ms Karen Shields - 42 Galatea Road Yarm
20. Mr Raymond Bennett & Mrs Margaret Bennett - 1 Hazel Way Yarm
21. Miss Harriet Smith - 10 Hazel Way Yarm
22. Mr Peter & Mrs Linda Scott – 60 Hemingford Gardens Yarm
23. Ms Charlotte Scott & Ms Jacqueline Bruce 19 Holly Pond Court
24. Mr Chris Robson - 3 Hornbeam Drive Yarm

25. Mrs Kim Dorset - 5 Hornbeam Drive Yarm
26. Mr Neil Creighton-Banks - 7 Hornbeam Drive Yarm
27. Mr John Birdsall – 11 Hornbeam Drive Yarm
28. Mr Michael Witham - 15 Hornbeam Drive Yarm
29. Mr Kristofer Mulpetre - 18 Hornbeam Drive Yarm
30. Mr Scott Lowery – 19 Hornbeam Drive Yarm
31. Mr Adam Herron - 20 Hornbeam Drive Yarm
32. Mr David Patterson - 25 Hornbeam Drive Yarm
33. Miss Rosie Carnell – 27 Hornbeam Drive Yarm
34. Mr Derek Whyte - 28 Hornbeam Drive Yarm
35. Mr Peter Peel, Ms Linda Peel & Ms Sophie Peel - 29 Hornbeam Drive Yarm
36. Mr Rae Deverson - 31 Hornbeam Drive Yarm
37. Mrs Elizabeth Homer - 32 Hornbeam Drive Yarm
38. Mrs Laila Bower – 2 Juniper Grove Yarm
39. Mrs Geovanna Waters & Miss Daniela Waters – 18 Juniper Grove
40. Ms Sharon Lamb – 31 Juniper Grove
41. Mrs Valerie Goddard – 4 Linden Crescent Yarm
42. Mrs Camilla Brown - 5 Linden Crescent Yarm
43. Mrs Donna Hodgson - 8 Linden Crescent Yarm
44. Mrs Lynn White - 12 Linden Crescent Yarm
45. Mr Geoff Jones - 13 Linden Crescent Yarm
46. Mr Simon Barlow - 15 Linden Crescent Yarm
47. Mr Steve Bell - 16 Linden Crescent Yarm
48. Mr Liam Galloway & Miss Francesca Livesey - 24 Linden Crescent Yarm
49. Mrs Laila Bower - 2 Juniper Grove Yarm
50. Mrs Geovanna Waters & Miss Daniela Waters - 18 Juniper Grove Yarm
51. Sharon Lamb - 31 Juniper Grove Yarm
52. Fiona Kitching – 39 Morley Carr Drive Yarm
53. Richard & Katherine Joyner – 41 Morley Carr Drive Yarm
54. [REDACTED]
55. Nicola Forsyth – 50 Morley Carr Drive Yarm
56. Rachel Scott & Daniel Jones – 61 Morley Carr Drive Yarm
57. Mr Brian Close – 10 Orient Close Yarm
58. Mr James Cochrane – 27 Picton Close Yarm
59. Mr Simon Turner – 3 Wyecarr Drive Yarm
60. Mr Trevor & Amanda Lowther – 16 Wyecarr Drive Yarm
61. Mr Colin Elcock – 24 Wyecarr Drive Yarm
62. Mr Jerry Dutton – 26 Wyecarr Drive Yarm
63. Ms Barbara Notman - 34 Wyecarr Drive Yarm
64. Mrs Lucy Wray - 6 Yew Close Yarm
65. Mr John Ashcroft & Ms Kelly Morgan - 8 Yew Close Yarm
66. Mr Thomas Dodds 7 New Lane Neasham, Darlington

Summary of Comments received

- Objection comments suggest that the development is out of character with the surrounding area and is not a cohesive form of development, which is significantly different to the already approved scheme. Objectors' consider the smaller house types to be of poor quality and lack continuity with the first phase of the development.
- Representations consider that the shifting demographics of the proposed development would put significant pressure on existing infrastructure, such as the transport network, schools and doctor's surgery.

- Residents consider that the site has limited public transport and is at a distance from local amenities, which is not suitable for a high proportion of affordable homes. Comments suggest that there is a lack of employment opportunities within the area to serve prospective residents.
- Objection comments consider that the proposal is beyond the scope of a section 73 variation application and represents a departure from the Local Plan and is unlawful.
- There is a disproportionate level of social housing above the requirement of local plan. There is no robust evidence to justify accepting such an increase in affordable housing beyond the Local Plan requirements.
- Concerns are raised relating to other Broadacres development sites and their reputation with respect to the management of residents. Concerns are raised that the proposed development will result in crime and anti-social behaviour. A resident has questioned the developers' ability to build out the site of this size.
- Residents consider there to be a lack of clarity over third party developer and the details of the shared ownership scheme, with no detail on location of affordable homes.
- The proposed development would result in an increased level of traffic, the vehicular access is not suitable and there is not enough available parking, which would result in highway safety concerns.
- Residents have purchased properties based on original plans for the neighbouring site and therefore the proposal should be rejected.
- The proposed development will prevent residents for working from home in the future.
- Concerns over noise, loss of privacy and overbearing development.
- Concerns over air quality and increased carbon footprint as result of development.
- There is no provision of bungalows for older residents.
- Residents consider that not enough consultation has been carried out.
- The proposed development would result in a negative impact on house prices.
- Concerns over construction access and associated activity along the highway.
- A comment has questioned the ability of the applicant to benefit from subsidises outcompeting the private market.

PLANNING POLICY

9. 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.
10. 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

11. 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.
12. 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

13. 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:

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

14. The main planning considerations of this application relate to the acceptability of the changes to the previous reserved matters; site characteristics and layout; highway safety and other matters arising out of consultation.

Principle of Development

15. Outline planning consent was granted in 2014 for up to 330 dwellings on land located at the former Tall Trees site (13/2568/EIS). The Reserved Matters planning applications were submitted in two phases with 139 dwellings approved in 2015 (15/1639/REM) and the second phase for 149 dwellings granted planning approval in 2016 (15/2152/REM) and the principle of development was established.

16. The proposed development seeks to vary the approved plans of the granted second phase of the reserved matters planning consent. During the course of the planning application, the consultation exercise has raised a number of principle issues which are addressed below.

Application Process

17. Representation comments received consider the scope of the proposed development to be beyond the legal parameters of a section 73 planning application. A section 73 application can be made in respect of a development where planning permission has previously been granted subject to conditions and the proposal seeks to develop the site otherwise than in accordance with one or more of those conditions. The proposed development would not be out with the description of the previous reserved matters approval and would provide the same number of 149 dwellings on the site. The Local Planning Authority and the Council's Chief Solicitor consider the section 73 planning application as submitted to be a lawful planning application.

Furthermore, the planning application has been processed in exactly the same manner as any other major planning application, where it has been advertised through press notice, neighbour notification letter and through the display of site notice.

Site sustainability

18. The application site is located at the southern edge of the conurbation of Yarm. Nearby shops and services include a convenience store located on Davenport Road (approximately 800 metres away) and a local centre at Healaugh Park that provides a supermarket, a dentist and a pharmacy (approximately 1.4 miles away). Yarm High Street is at a further distance of approximately 1.8 miles from the application site. Local schools within the area include Layfield Primary (approximately 1.1 miles away) and Conyers Secondary School (approximately 1 mile away). A lit footpath from the application site to Yarm Train Station provides access to destinations further afield at a distance of approximately 900 metres walking distance. The nearest bus stop to this development with a regular bus services is on Davenport Road at approximately 750 metres walking distance.
19. Whilst it is acknowledged that the location of the site at the edge of the conurbation may involve some journeys to be made by private motor car, it is considered to be a sustainable location.
20. Objection comments have questioned the suitability of the site for prospective residents of affordable units, commenting that occupiers may not have use of a private motor vehicle needed to access surrounding shops and services. With respect to journeys that may require the use of a private motor vehicle to access some wider shops and services, there is no evidence that residents of affordable housing units would not have access to a private motor vehicle and this is considered not to be a reason to warrant refusal of the application on these grounds.
21. Concerns have also been raised that the proposed development would create significant pressure on existing infrastructure such as schools and doctor's surgeries. Whilst the comments are noted, the proposal would not increase the number of dwellings beyond the existing approved housing scheme and it is therefore considered that the impact of the proposal would not be dissimilar from the accepted scheme at the site.

The Need for Affordable Housing

22. The applicant proposes 79 affordable housing units, comprising 50 shared ownership units and 29 affordable/socially rented units.
23. The definition of affordable housing is set out within Annexe 2 of the NPPF which states that affordable housing is housing for sale or rent for those whose needs are not met by the market, including housing that provides a subsidised route to home ownership. Affordable housing includes those subsidised for rent; starter homes; discounted market sales housing and other affordable routes to home ownership. The variety of the types of affordable housing products, as defined within the NPPF are set out below.

- *Affordable housing for rent*

To meet the criteria to be classified as affordable housing for rent: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent

is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

- *Starter homes*

A starter home is a new dwelling that is available for purchase by qualifying first-time buyers only and is to be sold at a discount of at least 20% of the market value, is to be sold for less than the price cap, and is subject to any restrictions on sale or letting specified in regulations made by the Secretary of State.

- *Discounted market sales housing*

Discounted market sales is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

- *Other affordable routes to home ownership*

Other affordable routes to home ownership is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to government or the relevant authority specified in the funding agreement.

24. The affordable homes proposed would fall into the category of other routes to home ownership (34%) and affordable housing for rents (19%). The objection comments received consider the affordable housing to be at a disproportionately high level that would be beyond the local plan target of 20%. Representations have questioned whether providing affordable housing beyond the local plan target is a departure of the local plan.
25. The original outline planning consent set the level of affordable housing for the overall development site for the 330 dwellings and was assessed against the Council's previous Core Strategy Development Plan Document. Core Strategy Policy CS8 *Housing Mix and Affordable Housing Provision* set affordable housing provision with a target range of 15-20% and the section 106 that accompanied the outline planning approval set affordable housing at 15% across the site. The current Local Planning Policy H4 sets an affordable housing requirement of 20%.
26. The evidence base for the affordable housing requirement comes from The Stockton on Tees Strategic Housing Market Assessment (The SHMA 2016). The SHMA is the evidence base that has identified the need to provide additional affordable housing for 3,502 households over the period 2017-32. This is equivalent to 233 households per year across the borough and represents 39.9% of the overall housing need identified.
27. As set out above, the need for affordable housing per year across the borough is 39.9%. The SHMA explains that the cap of 20% is set to balance the need to contribute towards providing affordable housing whilst also taking account of the financial viability of a housing scheme.
28. Providing affordable housing beyond the minimum planning policy requirement within the more desirable areas can be difficult to achieve, as these locations often come with increased demand and higher house prices. Therefore those starting on the housing ladder are often

prevented from accessing properties in more affluent areas, where demand is likely to be at its highest. The principle of increasing the provision of affordable housing above the local plan target is considered to be an opportunity to significantly contribute to meeting the identified borough wide housing need.

29. In response to the consultation exercise, the applicant has provided some further information on the matter of housing need. The applicant has stated that their marketing assessment has considered the average wage income, the age of the population, as well as the type of properties that are currently available within the area. The applicant notes that the majority of homes delivered within the area are larger executive homes and considers there to be a limited number of 2 & 3 bedroomed properties, which this proposed scheme is seeking to cater for. The applicant considers that the proposed scheme would help address a need for younger people looking to purchase their first property and/or those looking to downsize into a smaller home.
30. Comments received from the Strategic Housing Manager provide a snapshot of the potential demand for smaller homes within the area. For the year ending March 2020, when 2 and 3 bedroom properties were last advertised within the area through the choice based lettings policy, the Strategic Housing Manager explained that demand outstripped the supply by 3:1 for both 2 and 3 bedroom dwellings.
31. It is considered that the 20% affordable housing requirement should not be considered as a ceiling on the level of affordable housing that should be delivered on a development site, especially as the development provides an opportunity to contribute towards a shortfall in affordable housing provision. Taking account of the housing need for the borough, as identified within the SHMA document, the level of affordable housing proposed across the development site is considered to be acceptable in principle, subject to the consideration of establishing the correct housing mix.

Housing Mix

32. The Strategic Housing Manager has considered the range, mix and cohesion of housing proposed whilst also taking account of the level of control and access to the housing units.
33. The 50 shared ownership properties proposed would be targeted at those first time buyers that currently cannot access the housing market. The applicants' submitted statement explains that the shared ownership product is a form of the Government's 'Help To Buy' scheme where first time buyers are subsidised through a lower purchase price, while paying a rent value on the percentage of the property they do not own. The purchaser would be able to initially purchase between 25-75% of the property and could increase their ownership up to 100% over time, where the property would no longer be an affordable form of housing. With respect to the affordable rented properties, they would remain affordable products in their entirety and this would equate to 19 percent of the overall mix proposed.
34. Residents have raised concerns over the applicant's ability to manage the residents of affordably rented properties. Any views on the reputation of the applicant is not material to the planning application and cannot be taken into account in the determination of the planning application. Notwithstanding this, the applicant has provided a response to concerns and has highlighted their commitment to a multi-agency approach to dealing with any matters that may arise.
35. Concerns have been raised that the proposed scheme would result in an increase in anti-social behaviour and crime. Whilst section 17 of the Crime and Disorder Act 1998 places a duty on the authority to consider the crime and disorder implications of the proposal, there is no evidence that would link the proposed housing development with an increase in crime and anti-

social behaviour. The Crime Prevention Officer has been consulted and has no objections to the proposed development and has commented that a well-managed sites can help to reduce any such concerns. The Crime Prevention Officer has encouraged the applicant to pursue the gold standard for secure by design principles to reach the highest standard possible. An informative is recommended for the applicant to consider this accreditation.

36. The Strategic Housing Manager has confirmed that both the shared ownership properties and the affordable rented properties would be subject to a local lettings policy, where those with a local connection to Yarm, Eaglescliffe and Ingleby Barwick's east wards would be considered for occupation in the first instance. This strategy would allow generations of those families already established within the area to access properties and continue to live where they have grown up. Local Letting Policy also provides management controls over prospective residents that would not otherwise be possible through open market property sales.
37. It is considered that taking account of the mix of open market, shared ownership and affordably rented properties, the proposed development would provide a balanced mix and a cohesive residential scheme and the principle of development is considered acceptable.

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

38. 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.
39. The 149 dwellings proposed at the site is the same number of properties as the previously approved reserved matters development, which would be constructed along the same main road layout.
40. The proposed scheme would increase the number of smaller 2 and 3 bedroom properties across the site which are modern in design with a brick finish. Whilst the change to the proposed scheme would increase the provision of smaller housetypes, the proposed scheme would incorporate a mix of 2, 3, 4 and 5 bedroomed two storey dwellings.
41. A notable change from the previous Reserved Matters approval is the introduction of parking courts, which would be provided to the rear of properties either side of the main vehicular access route through the site (to the east and west). By providing the parking courts to the rear of the properties allows for a green frontage along this prominent route.
42. A further change from the previous scheme is at the western part of the site, where a number of properties would be re-orientated from a rear to side relationship within the previously approved scheme to a proposed rear to rear relationship. A private drive would be provided to the front of these proposed dwellings.
43. The 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 and the internal arrangements together with the positioning of window openings have been designed to minimise any overlooking and potential loss of amenity and it is considered that the proposal relates well to existing development within the vicinity.
44. Tree planting is proposed throughout the site, which is considered to be a key feature of the Tall Trees development and would provide an attractive greening of the routes throughout the development site. A planning condition is recommended to secure the tree pit details to ensure long term suitability of any trees proposed within the highway.
45. A further condition is recommended in relation to the removal of some permitted development rights for householder extensions. The proposal would provide the majority of smaller house

types and therefore the development is relatively tight knit. Given the extent of permitted development allowances, there is the potential for some significant impacts on the amenity of the neighbouring properties and therefore it is considered necessary to control these matters through the imposition of the recommended planning condition.

Highway Safety, Parking and Traffic related Matters

46. Residents have raised concerns that there is a lack of parking within the area and that the proposed development would increase the requirement for private car use to access shops and services and would increase pressure on the road network resulting in highway safety concerns.
47. 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.
48. The matter of construction activity and associated vehicular movements in proximity to residents and children has been raised as a concern. Condition 17 of the Outline approval requires the applicant to submit a construction management plan for each phase. A recommended condition of the current application makes the applicant aware of their responsibilities with respect to meeting the requirements of the original outline approval and it is considered that through the submission of a construction management plan, this matter can be suitably managed.
49. The proposed development is therefore considered to be acceptable in terms of highway safety related matters.

Residual Matters

50. Comments received have raised concerns over the lack of clarity of the third party developer, a lack of detail relating to the makeup of the shared ownership scheme and no detail on the location of affordable homes. The applicant has confirmed that, consistent with the submitted plans, Yorvik homes are the third party developer. Further information has also been provided in respect to the shared ownership scheme as detailed within the report. With respect to detail of the exact location of affordable homes, affordable provision should be tenure blind and the developer will work with the Council's Strategic Housing Manager to provide an appropriate mix of type and tenure of properties within the site.
51. Residents have raised concerns with respect to the level of neighbour consultation. Through the application process, notice was given through a press advert, the immediate neighbouring residents were notified by letter and site notices displayed within the wider site area to publicise the application and it is considered that appropriate level of notification has been given for the proposed development.
52. Residents have raised concerns that the proposed development would impact on the air quality and increase the carbon footprint within the area. Whilst these comments are noted, the impact of the proposed development is considered not to be dissimilar from the existing approval for the same number of dwellings at the site.
53. Concerns have been raised in relation to increased noise and disturbance as a result of the proposed development. Whilst there would inevitably be a degree of noise associated with the construction phase, a condition of the original outline approval will manage the days and times of construction activity.
54. Comments have been received in relation to a lack of provision of elderly accommodation in the form of bungalow properties. Whilst these comments are noted, the application is assessed

as submitted and the omission of bungalow properties would not warrant the refusal of the planning application on these grounds.

55. A number of residents' objections have commented that the purchase of their properties were based upon the approved Reserved Matters scheme for the application site and that changes to the development should not be allowed on this basis. Whilst these comments are noted, as with any approved scheme, there are no guarantees that changes to a scheme will not be sought. The Local Planning Authority is required to assess the merits of an application as submitted and this is not a reason to refuse the planning application based on these grounds.
56. Concerns have been raised that the proposed development would result in the devaluation of house prices for the phase 1 development. The devaluation of house prices is not a material planning consideration and therefore carries no weight in determining this planning application.
57. A comment received has questioned the applicants' ability to access subsidies to outcompete the private market for the purchase of land for sale. The sale and purchase of the land is a private matter outside of the planning process and any matters relating to the availability of subsidies for the purchase of land is not material to the planning application.
58. An objection comment has questioned the ability of the affordable provider to build out a development of this scale. Whilst these comments are noted, such assertions carry no weight in the determination of the planning application.
59. A comment received has stated that approval of the proposed scheme would prevent residents from working from home. There is no evidence that the proposed scheme would impact on home working arrangements of existing and future occupiers of this area and this matter would not form a reason for refusal of the planning application.

CONCLUSION

60. The variation of the reserved matters application has followed the principles of the indicative outline planning application proposals and previously approved reserved matters application.
61. The site already has planning approval for a residential development and change to the housetypes are not considered to fundamentally change the impacts of the development to existing infrastructure over and above that already approved.
62. 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 within the report.

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

WARD AND WARD COUNCILLORS

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

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