

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
10 FEBRUARY 2021
REPORT OF DIRECTOR OF FINANCE,
DEVELOPMENT & BUSINESS SERVICES**

19/2084/REM

**Hunters Rest Farm, Urlay Nook Road, Eaglescliffe
Reserved Matters application for the Scale, Layout, Landscaping and Appearance of 108 dwellings.**

Expiry Date 12 FEBRUARY 2021

SUMMARY

An outline application (17/0775/OUT) was presented to the Planning Committee on the 17th January 2018 with a recommendation for approval. Members deferred the application requesting the applicant to provide more information. An appeal was submitted for non-determination which was allowed on 23rd October 2018. In addition and prior to the outcome of the appeal, a subsequent outline planning permission with all matters reserved other than access, for a residential development of up to 130 houses was approved on the 14th August 2018 (Application 18/0301/REV).

The application to be implemented is the appeal application which was approved subject to a Section 106 which included the provision of 15% of dwellings on the site to be affordable housing; Precautionary education financial contributions; contributions towards improvement works to the A66 Elton Interchange; contribution towards car parking solutions in Yarm; the provision, funding and implementation of a scheme to continue the provision of a bus service for up to five years following the end of existing provision and the provision of public open space with contingency arrangements for a financial contribution to be made in lieu in certain circumstances.

This application is for the reserved matters of that outline approval and seeks permission for 108 dwellings and includes full details of the houses, including layout, scale, appearance and landscaping.

Objection letters have been received from 25 residents, some of which relate to the principle of development / loss of the land and the remainder have been addressed in the main body of the report.

The site is allocated for housing in the local plan and has an outline approval, therefore the principle of development has been established. All matters under consideration as part of this application are considered acceptable and there are no planning reasons to refuse the application.

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

RECOMMENDATION

That planning application 19/2084/REM be approved subject to the following conditions and informatives;

01 *Approved Plans*

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

Plan Reference Number	Date Received
(10)100 REV A	18 September 2019
(00)1000 REV 11	18 September 2019
(10)101 REV A	18 September 2019
(10)1100 REV A	18 September 2019
(10)1101 REV A	18 September 2019
(10)200 REV A	18 September 2019
(10)201 REV A	18 September 2019
(10)300 REV A	18 September 2019
(10)301 REV A	18 September 2019
(10)400 REV A	18 September 2019
(10)401 REV A	18 September 2019
(10)500 REV A	18 September 2019
(10)501 REV A	18 September 2019
(10)520 REV A	18 September 2019
(10)531 REV A	18 September 2019
(10)530 REV A	18 September 2019
(10)521 REV A	18 September 2019
(10)600 REV A	18 September 2019
(10)601 REV A	18 September 2019
(10)700 REV A	18 September 2019
(10)701 REV A	18 September 2019
(10)800 REV A	18 September 2019
(10)801 REV A	18 September 2019
(10)810 REV A	18 September 2019
(10)811 REV A	18 September 2019
(10)900 REV A	18 September 2019
(00)120	18 September 2019
(10)901 REV A	18 September 2019
(00)100	18 September 2019
(00)370 B	18 September 2019
JCC18-263-205-T2	23 December 2019
SR4052/008 REV B	30 March 2020
(00)300_AG	18 May 2020
JCC18-263-60-A	18 May 2020
N839-ONE-ZZ-XX-DR-L-0602-P01	18 May 2020
(00)350_E	18 June 2020
(00)360_G	18 June 2020
N839-ONE-ZZ-XX-DR-L-0201-P07	18 June 2020
N839-ONE-ZZ-XX-DR-L-0202-P07	18 June 2020
N839-ONE-ZZ-XX-DR-L-0203-P07	18 June 2020
(00)SK27_A	20 January 2021
(00)SK28_A	20 January 2021
(50)1100_A	20 January 2021
(00)SK26_A	20 January 2021
(50) 420 REV D	22 January 2021

Reason: To define the consent.

02 Ecological Checking Survey

Prior to the commencement of any site works, a checking survey for the presence of protected species and suitable habitat shall be undertaken and appropriate mitigation measures, if different from the original survey, shall be submitted to and approved in writing

by the local planning authority. Site works shall be carried out in complete accordance with the updated survey unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protected species and their habitat

03 Hedgehogs Fencing;

Notwithstanding the submitted information, holes shall be installed in boundary walls and fences at ground level to allow for the free movement of hedgehogs and be retained thereafter for the lifetime of the development.

Reason: In the interests of protected species and their habitat

04 Permitted Development Rights

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

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

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), unless shown on the approved plan (1202_RHL_00_XX_DR_A_004 Rev E) 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 without the written approval of the Local Planning Authority.

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 - no garage conversions;

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2015 (or any order revoking and re-enacting that Order), no garages shall be converted into part of the house or incidental uses without the prior written consent of the Local Planning Authority.

Reason: To adequately control the level of development on the site to ensure adequate garaging and parking spaces are made available.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

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

Informative : Overhead Lines

Statutory clearances that shall be maintained are outlined in ENA43-8 Overhead Line Clearances. Guidance for construction activities near Overhead Lines is given in GS6 which is available on the HSE website for download, it is the responsibility of the developer that clearances are maintained both during construction & upon completion of the development.

BACKGROUND

1. Outline planning permission with some matters reserved for the erection up to 130 dwellings, associated infrastructure including access road and public open space was submitted and the application was deferred by the planning committee. The applicant then appealed against non-determination and the inspector allowed the appeal on 23rd October 2018 (Application: 17/0775/OUT) subject to a Section 106.
2. Whilst the determination of the appeal was pending a revised Outline planning permission for the erection up to 130 dwellings was submitted and approved by the Planning Committee on the 14th August 2018 (Application 18/0301/REV).
3. A prior notification application was submitted and accepted for the demolition of a stable, farmhouse and 2no outhouses on the 1st October 2018 (Application 18/1977/DEM)
4. A Hybrid Planning permission was approved on the adjacent site for 21 dwellings and outline permission for a further 2 dwellings (Application 15/2752/FUL). This permission has been extended to 1 May 2021.
5. A full application is under consideration for the adjacent site for the erection of 22 dwellings with associated garages and access.

SITE AND SURROUNDINGS

6. The application site is currently agricultural land on the edge of Eaglescliffe, beyond the existing built form on the south side of Uray Nook Road. There is a power line crossing the site and an existing farmstead, Hunters Rest, in the centre of the site which to be demolished.
7. To the north west of the site are allotments with Nelly Burdon's Beck running around the west and southern perimeter of the site which is within Flood Zones 2 and 3.
8. Since the adoption of the new local plan the application site is within the limits to development and an allocated housing site.

PROPOSAL

9. Reserved matters approval is sought for the scale, layout, appearance and landscaping for 108 dwellings, 16 of which are affordable which includes 6 bungalows and 4 x 3 bed homes and 6 x 2 bed homes.
10. The proposal includes the regrading of the land and there is a linked application 20/0588/FUL for engineering operations to the western perimeter of the site.

CONSULTATIONS

11. The following Consultations were notified and any comments received are set out below
12. Highways Transport & Design Manager
General Summary : The Highways Transport and Design Manager notes that clarification from National Grid has not yet been received, however all other issues have now been addressed, therefore the Highways Transport and Design Manager raises no objections to the proposals.

Highways Comments

Traffic Impact / Vehicle Access

The impact of the proposed development on the wider highway network and the site access arrangements have been considered, and found to be acceptable, as a part of outline application 17/0775/OUT.

Layout/Parking

The development should be designed and constructed in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) current edition and Supplementary Planning Document 3: Parking Provision for New Developments (SPD3).

The proposed site layout, which is shown on drawing (00)003 Rev AE, have been reviewed and are considered to be broadly in accordance with the Council's Design Guide and car parking has been provided in accordance with SPD3.

Landscape & Visual Comments

Please refer to application 20/0588/FUL for full comments regarding the earth works and impacts upon Nelly Burdon's Beck green corridor.

Public Open Space and Green Infrastructure: The applicant has stated that the application follows National Grid Guidance regarding the setting out of the POS below the pylons. However, it is noted that a written response from National Grid has not yet been received on their acceptance of the use of this land as Public Open Space.

Flood Risk Management The Lead Local Flood Authority wish to make no further comment at this stage, detailed information relating to the management of surface water runoff from the proposed development is still to be submitted however this is covered by condition.

13. Highways England Company Limited

Highways England do not generally comment on Reserved Matters applications where all Strategic Road issues are addressed at Outline Stage. This was for this application undertaken via application 17/0775/OUT and Variation 18/0301/VARY. Previous outline applications covered 130 dwellings and this application covers only 106. It is not clear from information currently available via Stockton Planning portal on the earlier applications whether a further Reserved Matters application covering a remainder of the site will be coming forward but Nonetheless we do not wish to comment.

14. Environmental Health Unit

I have reviewed the historical environmental records held by this Local Authority along with reports submitted by the applicant and have found no grounds for objection in principle to the application. The applicant must however be made aware of the following advisory notes:

Elementis Effluent discharge pipe/inspection chambers:

Due to the proximity of the Elementis Chromium effluent discharge pipe and associated inspection chambers, the applicant must not disturb or damage these components as access is required at all times.

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.

15. Northumbrian Water Limited

In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within

Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>. Having assessed the proposed development against the context outlined above we have the following comments to make:

The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

How to Satisfy the Condition : The developer should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely Soakaway; watercourse, and finally sewer. If sewer is the only option the developer should contact

Northumbrian Water to agree allowable discharge rates and points into the public sewer network. This can be done by submitting a pre-planning enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6559. Please note that the planning permission with the above condition is not considered implementable until the condition has been discharged. Only then can an application be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

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

16. Cleveland Police

Thank you for the notification in relation to a proposal to build 106 dwellings at Hunters Rest Far, Urray Nook Road, Eaglescliffe. The developer is encouraged to make contact for any input/advice, and to ensure that the security of a development is not compromised by excessive permeability and that adequate street lighting be installed for all areas of the development, including all non- adopted highways, e.g. shared surfaces, shared drives.

17. Tees Archaeology

The applicant has provided a report on archaeological trial trenching at the site which demonstrates there is no archaeology present. The site is of low archaeological potential and the applicant has fulfilled the requirements of the NPPF regarding archaeology therefore no further work is required and no need for an archaeological condition.

18. 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.

19. Parish Council

This application was considered by Egglecliffe & Egglecliffe Council at its meeting on 3rd October when no comments were raised on the reserved matters. However, the parish would like to know whether provision has been, or can be made for a fence to separate the development site from the neighbouring Eliff's Mill allotment site, owned by the council.

20. National Grid

National Grid has no objections to the above proposal which is in close proximity to a High Voltage Transmission Overhead Line –Overhead Electricity Line, Electricity Tower.

21. SBC Housing Services Manager; School Place Planning; Principal Environment Officer; Northern Powergrid; Private Sector Housing Darlington Borough Council Councillor Jacqueline Bright; Councillor Stefan Houghton; Councillor Laura Tunney; SBC Care For Your Area; Director Of Culture, Events & Leisure were consulted on the application but no comments were received

PUBLICITY

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

1. Mrs Kelly Lees 18 Black Diamond Way Egglecliffe Stockton-on-Tees TS160SE
2. Mr James Lees 18 Black Diamond Way Egglecliffe Stockton-on-Tees TS16 0SE
3. Mrs Jean Buttle 1 Coatham Vale Egglecliffe
4. Mrs A Dickinson 9 Coatham Vale Egglecliffe Stockton-on-Tees TS160RA
5. Mr M Dickinson 9 Coatham Vale Egglecliffe Stockton-on-Tees TS160RA
6. Ms Janine Connor 30 Coatham Vale Egglecliffe Stockton-on-Tees TS16 0RA
7. Mr Richard Harrison 56 Croft Road Egglecliffe Stockton-on-Tees TS160DY
8. Mr Michael Macleod; 4 Ettersgill Close Egglecliffe
9. Mrs K Rye 30 Grassholme Way Egglecliffe Stockton-on-Tees TS16 0GB
10. Mrs Helen Rhodes 47 Greenfield Drive Egglecliffe Stockton-on-Tees TS160HD
11. Mrs A Morris, 4 Hunters Green Egglecliffe
12. Mr Sam Spencley; 2 Lartington Way Egglecliffe
13. Mr Pat Henderson 28 Seymour Drive Egglecliffe
14. Mrs Amanda Jackson 43 Seymour Drive Egglecliffe
15. Mr Ian Holland 1B South View Egglecliffe
16. Geoff And Joyce Burns 14 Valley Gardens Egglecliffe TS16 0LY
17. Mrs J Hodgson 16 Valley Gardens Egglecliffe Stockton-on-Tees TS160LY
18. Mr T Hodgson 16 Valley Gardens Egglecliffe
19. Mr M Thompson 18 Valley Gardens Egglecliffe Stockton-on-Tees TS160LY
20. Mr J Thompson 18 Valley Gardens Egglecliffe
21. Mrs K Thompson 18 Valley Gardens Egglecliffe
22. Jane Nicholls 19 Valley Gardens Egglecliffe Stockton-on-Tees TS16 0LY
23. Mrs A Metcalfe 22 Valley Gardens Egglecliffe Stockton-on-Tees TS160LY
24. Amanda Marshall The Gables Uray Nook Road Egglecliffe Stockton On Tees TS16 0LZ
25. Egglecliffe Elementis Junior Football Club, 14 Coniston Road, Stockton TS18 4PX

The main material considerations are detailed below;

- Trees too close to the boundary line of the properties in Valley Gardens and loss of light.

- All of the gardens have a low fence and hedge easy access for crime to take place.
- The noise and disturbance from the number of houses being built.
- Development of the green space
- Traffic impact
- Impact on facilities and lack of services such as buses
- Anti social behaviour
- Bats roosting in the buildings of the farm and potential impacts on ecology
- Over development of social housing impacting on the area
- No facility for cycle paths to improve and promote cycling.
- Existing drains from the Elementis site pass through the proposed development, I am aware that they have a surface water treatment plant that collates all standing water and treats this before it is allowed through the drains systems. Can the development confirm that there will be no disturbance of the land drains that run through the development as all Elementis land is contaminated.
- lack of recreational facilities in the area to sustain further development and increase in families.
- increase in the Anti- social behaviour.

PLANNING POLICY

21. 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.

22. 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.

23 National Planning Policy Framework

The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

24. Local Planning Policy

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

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

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.
3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:
 - Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
 - Specific policies in that Framework indicate that development should be restricted.

Strategic Development Strategy Policy 3 (SD3) - Housing Strategy

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land. Should it become apparent that a five year supply of deliverable housing land cannot be identified at any point within the plan period, or delivery is consistently falling below the housing requirement, the Council will work with landowners, the development industry and relevant stakeholders and take appropriate action in seeking to address any shortfall.
2. The following are priorities for the Council:
 - a. Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision; this includes the provision of housing to meet the needs of the ageing population and those with specific needs.
 - b. Providing accommodation that is affordable.
 - c. Providing opportunities for custom, self-build and small and medium sized house builders.
3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through:
 - 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.
 - j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.
 - k) Supporting proposals within the Tees Heritage Park which seek to increase access, promote the area as a leisure and recreation destination, improve the natural environment

and landscape character, protect and enhance cultural and historic assets, and, promote understanding and community involvement.

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

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

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

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

c. Supporting sustainable water management within development proposals.

d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.

e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.

f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.

g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.

h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.

Strategic Development Strategy Policy 6 (SD6) - Transport and Infrastructure Strategy

3. The Council will work with partners to deliver community infrastructure within the neighbourhoods they serve. Priority will be given to the provision of facilities that contribute towards sustainable communities, in particular the growing populations at Ingleby Barwick, Yarm, Eaglescliffe, Wynyard sustainable Settlement and West Stockton Sustainable Urban Extension.

Strategic Development Strategy Policy 7 (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.

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.

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.

Housing Policy 1 (H1) - Housing Commitments and Allocations

1. To deliver the housing requirement and to maintain a rolling five year supply of deliverable housing land, the Council have allocated sites identified within this policy. The majority of the new homes will be delivered through existing commitments (sites with planning permission identified within point 2) with the remainder of new homes being delivered through allocations at:

- a. Various sites within the Regenerated River Tees Corridor.
- b. Various sites within the conurbation.
- c. West Stockton Sustainable Urban Extension.
- d. Wynyard Sustainable Settlement.

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

Commitments

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

Site Location/Name	Area (ha)	Total Dwellings (approx)	Remaining Supply at April 2018
Eaglescliffe E4 Hunters Rest Farm	6.5	130	130

Housing Policy 4 (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.

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.

4. Where an applicant considers that the provision of affordable housing in accordance with the requirements of this policy would make the scheme unviable, they must submit a full detailed viability assessment to demonstrate the maximum level of affordable housing that could be delivered on the site. The applicant will be expected to deliver the maximum level of affordable housing achievable.

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 onsite and calculated with regard to the Affordable Housing Supplementary Planning Document 8 or any successor.

SPD1: Sustainable Design Guide

4.8 Privacy and Amenity

4.8.1 Providing a balance between the natural surveillance of public areas and excessive overlooking of private areas can be difficult to achieve but is important. Private garden areas should not be subject to an inordinate level of overlooking from public spaces or neighbouring properties.

4.8.2 The Council will normally expect a minimum of 21 metres separation to be provided between the main habitable room windows on facing residential properties. Where main habitable room windows will face windows of secondary rooms, such as bathrooms and hallways, or a blank gable, there should normally be a gap of at least 11 metres between the two properties. However, it is advisable to seek pre application advice, should a development involve this relationship, as the required separation distance will depend upon individual circumstances and may need to be increased.

4.8.3 A significant variation in ground levels between properties or differences in the number of stories between dwellings may require an increase in the separation distance, in order to prevent an unacceptable overbearing impact. Where a building is above two- stories in height, an additional 4m distance should be provided for each additional storey. Where there are differences in ground levels the separation distance should be increased by 2m for every 1m rise.

4.8.3 The above residential standards may be applied flexibly, where the context of the site demands. Innovative design solutions, creativity in external and internal layouts and the careful use of landscaping and boundary treatments could all be employed to achieve satisfactory levels of privacy and may allow a reduction in the separation distance.

MATERIAL PLANNING CONSIDERATIONS

25. The application site already has outline consent and therefore the principle of the development has been established. The main considerations of this application therefore relate to the details of the proposed development in terms of appearance, landscaping, layout and scale and its relationship to existing development and whether it satisfies the requirements of the Development Plan Policies. No other matters can be considered and the Inspectors decision is attached at Appendix A which considers the principle of development and the other matters raised which cannot be considered as part of this application.

Scale, Appearance and Layout

26. The outline approval was for the erection of up to 130 dwellings, and 108 dwellings is applied for through this reserved matter application which includes 16 affordable homes.

27. The proposed housing layout incorporates 2, 3, 4 and 5 bedroomed detached and semi detached homes and 6 bungalows, which are on the whole modern in design. The homes are a sufficient distance away from existing dwellings and the design and appearance of the development is considered acceptable.

28. The application site is constrained due to the level changes across the land some of which are significant. The scheme has been amended so that the applicant works with the existing levels and avoids wherever possible large and unsightly retaining walls and the movement of a significant amount of soil on or off site. Whilst the dwellings have largely been designed to ensure that adequate distances are met and do achieve 21 / 11 metres as laid out in the SPD guidance, there are a number of plots where the distances should be greater due to the level difference, it is therefore recommended that permitted development rights be removed which will ensure that any future extensions can be fully considered and will protect the amenity of the occupiers of these properties. On the whole the scheme has been designed to that houses are off-set against each and the internal arrangements of the proposed dwellings together with the positioning of window openings have been designed to minimise any overlooking.

29. The development will have one single point of access which was approved as part of the outline application and each house has the requisite number of car parking spaces and in order to protect this level of parking, permitted development rights have been removed for integral garage conversions.
30. The proposed development is predominantly 2 storey dwellings with six bungalows which are appropriately placed within the development. The affordable units are not grouped together and are 'pepper potted' across the development.

Landscaping and Open Space

31. In terms of landscaping, detailed plans have been provided. Comments were received from the neighbouring units in Valley Gardens who were concerned about the placement of trees close to their boundaries. This has since been amended and the landscaping is brought further into the site which is considered acceptable.
32. A condition on the outline application was the implementation of a footpath link to the perimeter of the site. The applicant has provided a link as well as several connections through site, which are generally considered acceptable.
33. The open space is beneath the power lines and up to the boundaries with Valley Gardens. Since the comments from the Highways, Transport and Design Manager were issued, National Grid have formally responded with no comments confirming that the Developer has been provided with profile drawings for the Overhead Line and relevant information regarding the overhead line and its safety. Given this land is to be used as open space and there is no formal play equipment it is not considered that the open space would be unacceptable.
34. The Highways Transport and Design Manager has considered the proposal from a landscape perspective and is satisfied with the scheme.

Residual Matters

35. Drainage: Whilst comments from Northumbrian Water are noted, a planning condition to control drainage was imposed at the outline stage and therefore the recommended condition is unnecessary. For the avoidance of doubt all future details will need to be agreed with the Local Planning Authority and relevant bodies such as the Lead Local Flood Authority and Northumbrian Water although a Suds scheme has been indicated which has been designed in accordance with the LLFA requirements.
36. Ecology: The original application was accompanied by an ecological appraisal and whilst this cannot be revisited at the reserved matters stage a condition has been recommended to ensure a checking survey is undertaken prior to commencing works on site to ensure the security of protected species and habitat. In addition, a European Protected Species Licence will be applied for prior to development commencing due to the presence of Great Crested Newts and Bats.
37. Elementis: There is a pipeline crossing the site and the applicant has corresponded with Elementis and obtained agreement in principle to divert the pipeline which will be secured by legal agreement. A diversion route is able to be accommodated within the layout which will mean that that operation and maintenance of the pipeline will be unaffected

CONCLUSION

38. It is recommended that planning permission be granted with Conditions for the reasons specified above

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

WARD AND WARD COUNCILLORS

Ward	Eaglescliffe
Ward Councillor	Councillor Stefan Houghton
Ward Councillor	Councillor Laura Tunney
Ward Councillor	Councillor Jacqueline Bright

IMPLICATIONS

Financial Implications: None as part of the reserved matter application

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

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

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

Background Papers

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