

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

2 June 2021

**REPORT OF DIRECTOR OF FINANCE,
DEVELOPMENT AND BUSINESS SERVICES**

20/1063/FUL

**Land North Of Holmewood Court, Aislaby Road, Eaglescliffe
Erection of 14 no. holiday lodges with associated pathways and parking.**

Expiry Date

SUMMARY

The application site relates to land immediately south of Aislaby road to the east of the village of Aislaby. The site has two large ponds and has been the subject previously of significant earthworks. Access is to be taken of the private access road to the east of the site and there is an existing area of hard surface to the west of the access road.

The application is seeking planning permission for the erection of 14No. holiday lodges and associated pathways and parking. The application has been revised to incorporate more land to the southern boundary to provide additional woodland planting and a reduction from 16. No lodges to 14 No.

The application has received 1 letter of support and 18 letters of objections. The main concerns raised from the objectors relate to highways safety, anti-social behaviour, impact on wildlife, not an appropriate and sustainable form of development. The letter of support focuses on the tourism and economic benefits.

Following receipt of the revised plans and additional noise impact assessment, subject to the imposition of the recommended conditions , the proposed development is considered to represent an acceptable form of development within the context of the site, wider area and in so far as not resulting in a significant adverse impact on highways safety or residential amenity. At the time of writing no objections had been received from any of the technical consultees although there are still outstanding comments from the Environment Agency. Members will be update d at the committee of any comments received.

To summarise the proposed development would ensure an acceptable form of development which would be compliant with the principle of the relevant policies of the Local Plan and the NPPF. The recommendation to Members is therefore to approve the application.

RECOMMENDATION

That planning application 20/1063/FUL be approved subject to the following conditions and informatives detailed below;

01 Approved plans

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

| Plan Reference Number | Date Received |
|-----------------------|---------------|
| 20 | 6 April 2021 |
| 1927 / 01 'A' | 6 April 2021 |
| 1927 / 03 'A' | 6 April 2021 |
| 1927 / 04 'A' | 6 April 2021 |
| 1927 / 05 'A' | 6 April 2021 |
| 1927 / 06 'O' | 6 April 2021 |

Reason: To define the consent.

03 Restriction – Lodges only

The use of the site for holiday lodges, hereby approved, shall be limited to the area annotated as camping pods as detailed on drawing number 1927 / 03 'A' received by the Local Planning Authority on the 06 April 2021. Overnight stays shall only be undertaken within the 14No. lodges within this area. No additional forms of camping in the form of tents, caravans, caravettes or any other form of motorhome will be allowed.

Reason: To ensure that the use of the accommodation is sustainable and supporting the rural economy in accordance with Policy SD4 and Policy EG7 of the Local Plan.

04 Restriction – holiday accommodation only

The development hereby approved must comply with the following requirements:

- (i) the lodges accommodation shall be occupied for holiday purposes only and shall not be occupied as a person's permanent, sole or main place of residence;
- (ii) No let may exceed 31 days per calendar year;
- (iii) the owners/operators shall maintain an up to- date register of the names of all owners/occupiers of the accommodation, and of their main home addresses. The owner/operator shall advise the Local Planning Authority of the name and address of the holder of the records and shall make the information on the register available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the use of the accommodation is sustainable and supporting the rural economy in accordance with Policy SD4 and Policy EG7 of the Local Plan.

05 Removal of PD rights – retention of parking spaces/turning areas

Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on drawing number 1927 / 03 'A' received by the Local Planning Authority on the 06 April 2021, for parking spaces, turning areas and access shall be kept available for their intended purposes at all times for the lifetime of the development.

Reason: To ensure highway safety.

06 Hard landscaping

No development shall commence until full details of proposed hard landscaping has been submitted to the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. Thereafter, no part of the development shall be brought into use until the hard landscaping scheme, as approved in writing by the Local Planning Authority, has been completed in accordance with the approved details. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

07 Means of enclosure

Notwithstanding the proposals detailed in the submitted plans, prior to the erection of any means of enclosure, details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected in accordance with the approved details and be maintained as such thereafter.

Reason: In the interests of the visual amenities of the locality.

08 Waste collection

Prior to the development hereby approved being brought into operation a plan shall be submitted to and agreed in writing by the Local Planning Authority for the management of waste collection. The plan shall provide details of the containers for the storage and disposal of waste foods and other refuse from the premises, including their location and frequency. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents. The waste storage arrangements shall be maintained for the life of the development to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory development in respect of waste collection arrangements in the interests of the amenities of the area.

09 Flood risk Assessment

All works must be carried out in accordance with the Flood Risk Assessment and Drainage Strategy Aislabby Road, Holiday Lodges, Rev A dated March 2020 as received by the local planning authority on the 28 May 2020.

Reason: To prevent surface water runoff in accordance with Local Plan Policy ENV4

10 Noise Impact Assessment

The development, hereby approved, shall be carried out in strict accordance with the Recommendations and Mitigations contained within the submitted Noise Impact Assessment received by the Local Planning Authority on the 1 April 2021. In addition;

- Noise from the site is to be managed/ controlled by staff at all times. A telephone number of the management should be made available should residents need to make a complaint.
- Any noise from the premises shall not cause a disturbance at the nearest residential premises.
- There shall be no music heard beyond the boundary of the site.
- The site Management shall conduct periodic assessments of the noise coming from the site and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.
- There shall be no outside seating beyond 10pm.

Reason: To safeguard the amenity of the adjacent occupiers.

11 No external music

There shall be no external music system installed.

Reason: To protect the amenities of nearby residents.

12 Ecology

All ecological mitigation measures contained within Chapter 5 of the Ecological Impact Assessment received by the Local Planning Authority on the 28 May 2020 shall be implemented throughout the development in full accordance with the advice and recommendations.

Reason: To preserve, protect and enhances the biodiversity of the site in accordance with Local Plan Policy ENV5 and the NPPF.

13 Lighting

Prior to the installation of any external lighting full details of the method of external LED illumination including:

- (i) Siting;
- (ii) Angle of alignment;
- (iii) Light colour; and
- (iv) Luminance.

of buildings facades and external areas of the site shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenity of adjoining residents, landscape and protection of sensitive wildlife habitats.

14 Soft landscaping

No development shall commence until full details of soft landscaping, including, where necessary, proposals to phase development and planting, have been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations, inter-relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following commencement of development and prior to the occupation of any dwellings, unless development is to be phased, in which case the planting scheme shall be completed in the first planting season following the commencement of each phase and prior to the occupation of any dwellings within each respective phase

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

15 Soft Landscaping maintenance

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

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

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

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

16 Planning Unit

The development hereby approved shall be retained as part of the planning unit known presently as Holmewood Court as shown on Drawing Ref 1927 / 01 'A' received by the Local Planning Authority on the 06 April 2021.

Reason: To ensure suitable management of the development to safeguard the amenity of the surrounding occupiers.

17 Construction/Demolition hours

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

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

18 Materials

Notwithstanding any description of the materials in the application, prior to the siting of the lodges, hereby approved, precise details of the materials, including treatment to be used in the construction of the external walls of the lodges shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building. The development shall be carried out in accordance with these approved details.

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

19 Construction Management Plan

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

- the site construction access(es);
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials including any restrictions on delivery times;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- measures to be taken, including but not limited to wheel washing facilities and the use of mechanical road sweepers operating at regular intervals or as and when

necessary, to avoid the deposit of mud, grit and dirt on the public highway by vehicles travelling to and from the site;

- measures to control and monitor the emission of dust and dirt during construction;
- a Site Waste Management Plan;
- details of the HGVs routing including any measures necessary to minimise the impact on other road users;
- measures to protect existing footpaths and verges; and
- a means of communication with local residents.
- The approved Construction Management Plan shall be adhered to throughout the construction period.

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

22 Site levels

Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site a scheme of existing and proposed ground levels, including those in adjacent land and finished floor levels for all buildings within the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To ensure the and acceptable level of visual amenity.

21 Smoke control

Although the site is not within a smoke control area, the development must comply with the following information in order to minimise the likelihood of complaints regarding smoke emissions:

- Burn authorised fuels- a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/fuels.php?country=e>
- Install a DEFRA approved appliance; a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/appliances.php?country=e>
- The appliance is to be installed by an approved contractor and certificates of the work to be submitted to the Local Authority.

Reason: In the interest of safe guarding the amenity of adjacent occupiers.

22 Foul Drainage

Notwithstanding the submitted Drainage Strategy, prior to the commencement of development hereby approved a detailed treatment of foul water shall first be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall thereafter be installed prior to the occupation of the development and maintained as such thereafter.

Reason: To ensure the satisfactory treatment of foul and surface

23 Restriction – no hot tubs

There shall be no siting of hot tubs anywhere on the site, including the associated amenity areas.

Reason: To prevent external noise and protect the amenities of nearby residents

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: Crime Prevention and Community Safety

The applicant is advised to implement the suggestions, where practical, from the Architectural Liaison Officer.

Informative: CL:AIRE 'Definition of Waste

All materials re-used or imported onto site shall follow the CL:AIRE 'Definition of Waste - Code of Practice' (DoWCoP) and Aggregate quality protocols to include an approved Material Management Plan (MMP) which should be submitted to and agreed in writing prior to commencement.

No material other than those classified as 'inert' should be re-used or brought onto site and are subject to these protocols. Any materials re-used or imported onto site must also be subject to Waste Acceptance Criteria (WAC) testing. To ensure all materials re-used or imported follow the correct material management protocols, are suitable for re-use and do not cause human health risk to site users.

BACKGROUND

1. 16/0757/FUL Retrospective application for the creation of an extra pond to provide primary means of attenuation of surface water from Aislaby Road. Approved 3rd October 2016
2. 19/0248/FUL Application for the erection of 7 no. dwellings. Pending Consideration

SITE AND SURROUNDINGS

3. The application site is situated to the north of Holmehouse Wood of which there is a pending application for the erection of 7No. dwellinghouses.
4. To the east and west are open fields. Access to the site is from Aislaby Road located to the north via a private drive with Aislaby village located to the west.
5. Yarm is approximately 1 mile from the site which equates an approximate 2 minute drive or alternatively can be reached by Public Right of Way (PRoW) within a 32 minute walk at approximately 1.6 miles. Alternatively, Middleton One Row is approximately 4.6 miles to the west and can be reached with a ten minute car ride.
6. It is noted that Aislaby is served by the Tees Flex bus service.

PROPOSAL

7. Planning permission is being sought for the siting of 14No. holiday lodges, and associated infrastructure including access, parking and pathways. The application has been revised during the course of the planning process to include the extension of the site to facilitate an additional landscape buffer along the southern boundary of the Site and the reduction of lodges from 16.No. to 14No.
8. The proposed development would provide 27 car parking spaces.

CONSULTATIONS

9. The following Consultations were notified and any comments received are set out below:-
10. Cleveland Police - *mentions Secured by Design within the Design and Access Statement and recommend applicant actively seek to develop to this standard, if possible.*

11. Principal Environment Officer - *Local Plan Policy ENV 1 on energy efficiency seeks to ensure development minimises the effects of climate change through the highest possible environmental standards and proposals are encouraged where development contributes to carbon reduction. The applicant is required to submit an energy statement highlighting the measures to be employed that will improve the efficiency of the development such as heating, cooling and ventilation; and how design measures have been employed to minimise the reliance on energy through siting, design, layout and building orientation.*
12. Conservation & Historic Buildings Officer - *Due to the intervening distances and screening in place between the existing building and the application site I have no concerns in respect of the setting of the listed building and do not consider that the proposal would adversely impact on this.*
13. Environmental Health Unit - *request a condition on the application that although the site location is not within a smoke control area, that the requirements of a smoke control area are followed to minimise the likelihood of complaints. These requirements are that only authorised smokeless fuels should be burnt which are be designed for use within a smoke control area and that any wood should be clean/ dry wood only.*

Regarding the noise management plan, suggest conditions be worded on the application similar to those listed below control the noise:

- *Noise from the site is to be managed/ controlled by staff at all times. A telephone number of the management should be made available should residents need to make a complaint.*
 - *Any noise from the premises shall not cause a disturbance at the nearest residential premises.*
 - *There shall be no music heard beyond the boundary of the site.*
 - *The site Management shall conduct periodic assessments of the noise coming from the site and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.*
 - *Waste collection*
14. Northumbrian Water Limited -*Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make, as no connections to the public sewerage network are proposed in the application documents.*
 15. Highways Transport & Design Manager - *The Highways Transport and Design Manager raises no objections to the proposals.*

Highways Comments

The proposals would be accessed via a private road which connects to Aislaby Road. Based on the speed limit for Aislaby Road, which is 60mph, visibility splays of 2.4m x 215m would be required in both directions which cannot be achieved.

In order to reduce the required visibility splays the applicant has provided a speed survey which shows that the 85th percentile speeds, on the approach to the site access, are 45.2 mph (72.74kph) northbound and 43.5 mph (70.00kph) southbound. Based on the observed speeds visibility splays of 2.4m x 120 m to the left (south) and 2.4m x 90m to the right (north) are required which are both achievable.

The existing site access is therefore considered to be acceptable to serve the proposed development.

Site Layout

The car park will provide a total of 27 spaces which, in accordance with SPD3: Parking provision for Developments 2011, is adequate for the proposed development.

Public Right of Way

Public Footpath No.3 (FP2) runs through the site and provides a connection, via the site access road, from Aislaby Road to Public Footpath No.2 (Teesdale Way) which provides a connection between Aislaby and Yarm.

The route of FP2 must remain open and unobstructed to allow members of the public access at all times during the full period of works. If the planned works, will restrict and affect the usage of FP2, the 'Rights of Way Officer' should be contacted prior to any works to arrange the appropriate temporary diversions or closures Orders to protect users of the path during the full period of works.

Landscape & Visual Comments

The revised proposals have reduced the number of lodges but increased the extent of soft landscaping on the southern edge of the site. The proposals are acceptable, and there are no landscape and visual objections.

Lead Local Flood Authority

The lead local flood authority have no objection to the proposals, the applicant has provided sufficient information to satisfy the local lead flood authority that a surface water run a solution can be achieved without increasing existing flood risk to the site over surrounding area.

16. The Ramblers Association - *The Ramblers object to this proposal. It should be noted that the footpath and track predate any putative highway, as the access to the former Holmewood Farm, rather than to the present Holmewood Court and all the piece meal developments along that stretch of the river. We think its earlier use (as a public footpath) should have greater consideration.*

Comment that as the speed of traffic was observed to be less than 50 mph, is there any chance of the Council and/or the Police lowering the speed limit along Aislaby Road from 60 to 50 mph? While the speed limit remains 60 mph on that stretch of road their original objection should stand. Pedestrians can access FP 3 from Aislaby Road.

17. PRoW Officer - *suggest the applicant to provide a temporary route during constructions works . Overall, I have no concerns with the access track (part of FP3) being used by walkers during the above or part of the operations of the proposed holiday lodges.*

Note the Ramblers Association comments regarding pedestrians' access to FP3 from Aislaby Road, but the majority of walkers would use the riverside path (FP2) between Aislaby and Yarm (Teesdale Way) and not Aislaby Road. It is also expected that residents from Aislaby Village would use the FP7 (via village green) to access the PRoW network in the area.

18. Tees Archaeology - *Whilst the site may have contained archaeological remains, extensive modern landscaping on the site is likely to have significantly impacted their survival. There are therefore no archaeological requirements.*
19. Northern Gas Networks - *We don't have any mains pipes in this area, but there may be pipes that are owned by other gas transporters or private companies*

PUBLICITY

20. Publicity has been given to the planning application through advertisements in the press, site notice and neighbour notification letters.

21. 1 No letter of support has been received.

Mrs Carole Jones Greenabella Bentley Wynd Yarm

- It will assist in boosting the trade in the high Street both shops and restaurants.
- It will aid tourism to the area
- It will be sympathetic to its surroundings built from natural materials and of low impact.
- It will provide jobs, locally.
- It will enable people to enjoy the areas surrounding the Teesdale Way, and local countryside.

22. A total of 18 letters of objection have been received. All those comments received are identified below (in summary) and a list of those who have contributed are listed below. The full contents of the letters can be viewed on the public access.

1. Mark Taylor Highgrove House Aislaby Road,
2. Mr Christopher O'Connor 12 Black Bull Wynd Eaglescliffe,
3. Mr Bruno McCoy & Mrs Jo McCoy 1 Black Bull Wynd Eaglescliffe,
4. Mr Andrew Gibson 8 Black Bull Wynd Aislaby,
5. Ms Theresa Hobbs And Mr William Abbott 2 Black Bull Wynd Aislaby,
6. Miss Anna Wilson 3 Black Bull Wynd Eaglescliffe,
7. Mr Jeffrey Dale 9 Werter Road, London,
8. Mr & Mrs Bee White House Aislaby,
9. Mr Michael Davison 55 Castlemartin Ingleby Barwick,
10. Michael and Nichola Davison Rivergarth Aislaby,
11. Mrs Jacqueline Convey The Garth Aislaby Road,
12. Mrs Kathryn McClaren & Mrs Kate Millman The Gables Aislaby Road,
13. Rosamund Jordan Aslak Aislaby Road,
14. Mr Michael Tanfield Hill House Aislaby Road,
15. Mr Chris Alexander 10 Black Bull Wynd Aislaby,
16. R Houghton Blue Cedar Lodge Aislaby,
17. Mr Andrew Milnes 7 Black Bull Wynd Eaglescliffe,
18. Mrs Carolyn Warnock Bellmount House Aislaby Road

Objection comments

- Increased anti-social behaviour on the local public footpaths and roads. Existing already caused through campers/ users of the river and Teesdale walk .
- Increased traffic on a road already under traffic strain and high volume of bike usage. Numerous crashes already occur. Children and pets would make it more unsafe
- Dangerous access location on a bend on a particular fast section of the road.
- Results of the speed survey it is clear that there are many instances of people speeding close to the proposed entrance/ exit of the site and this must be taken into account
- Additional accommodation which is unsustainable according to the local planning guidelines.
- A reduction of benefits and safety for Aislaby Village in favour of benefits for Yarm.
- Ponds were retrospective and now are being used commercially, to lead way to this development. Concerns over what will be next
- Pending application for 7No. dwellings
- Revised plans have not over come concerns
- Support comments has come from an adjoining landowner

- Impact on privacy of people wandering around adjacent landowners land
- Create a precedent and lead to a greater expansion.
- Devaluation of property
- An unsustainable location, no safe all weather pedestrian access into Yarm which is defined in the application as a plus for bringing business to Yarm high street.
- The proposed development in a very open area will be noticeable from all angles. The area combines woodland, hedgerows and open fields with open views, the development will surely have a negative impact on the natural beauty of this area.
- Impact on local wildlife as well as adjacent farm animals
- Adverse effect on the peace and tranquillity of Aislaby
- Impact of illumination of the site
- The recent noise report does not address the significant noise from the site if it operates as a hoseasons campsite.
- The disclaimer within Noise Impact Assessment state that they cannot guarantee the accuracy or correctness of any interpretation. It also states findings and opinions expressed are relevant only to the dates of the site works and should not be relied upon to represent conditions at substantially later dates.
- Aislaby Road/Yarm Road Junction at peak times the traffic becomes backed up. The junction layout of Yarm Road is also confusing especially for those not familiar with it.
- 'Landscape & Visual Appraisal Document, makes reference to the impact of the development and it is noted as 'adverse' this was in 6 out of 7 perspectives. The proposed planning application would cause significant material harm to the appearance and character of Aisalby and its rural surroundings especially if it is still part of the Tees Valley Special Landscape Area (SLA).
- Would be detrimental to the identify of Residential Area of Aislaby Village
- Increased cars would worsen the car parking issue in Yarm High Street.
- The demographic of the users of the lodges are not known
- Land ownership – right to use the access.
- Widening of the access road and increase lodge traffic would impact negatively on farmers ability to access the land with machinery and to farm it to the extent he currently enjoys.
- Recent experience with flooding and drainage from the newly created 'lake' in the field adjacent to the development and owned by the developer gives concern that a similar development would not be carried out in an appropriate way.
- A previous application (14/2285/FUL) for the installation of a new driveway in the field immediately adjacent to the proposed development was rejected following appeal, with the Appeal Inspector's report raising concern over the domestication of the site eroding the attractive rural landscape
- The proposed development, through the visual intrusion would be detrimental Aislaby is set in the Tees Valley Special Landscape Area, The proposed development of pods sited very close together will be an intrusion into the natural rural landscape which surrounds the village.
- The layout and density of this conglomeration of 16 curved roof pods together with a carpark for 27 cars will be an obtrusive eyesore in an open rural landscape.
- A stretch of the ancient hedgerow, by the roadside, was taken out and replaced with inappropriate laurel.

PLANNING POLICY

23. 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 Plans 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.

24. 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

25. 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.

26. 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.

Para 83. Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Para 84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Para 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 127. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Local Planning Policy

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

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

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,

- Specific policies in that Framework indicate that development should be restricted.

Strategic Development Strategy Policy 2 (SD2) - Strategic Development Needs Other Development Needs

7. Where other needs are identified, new developments will be encouraged to meet that need in the most sustainable locations having regard to relevant policies within the Local Plan.

Strategic Development Strategy Policy 4 (SD4) - Economic Growth Strategy

1. Economic development needs will be directed to appropriate locations within the Borough to ensure the delivery of sustainable economic growth.

2. Proposals for the redevelopment of previously developed land, in particular prominent sites which have been derelict for a significant period of time, will be supported.

Sustainable Tourism and the Tranquil River Corridor

17. Support will be given to sustainable tourism proposals in the Borough's main town centres, tourist attractions, main parks and country parks, as well as enhancing the River Tees as a leisure, recreation and water sports destination. Out of centre proposals should be clearly related to activity in these areas and be of an appropriate scale, having regard to the intrinsic character of the countryside, in particular the desire to protect and enhance the tranquil River Tees, Leven and Bassleton Beck corridors as represented by the green wedge.

18. The Council will support appropriate economic growth development within the countryside that cannot be located within the limits to development, or is of an appropriate scale and does not harm the character and appearance of the countryside; where it:

- a. Is necessary for a farming or forestry operation; or
- b. Provides opportunities for farm diversification; or
- c. Provides opportunities for equestrian activity; or
- d. Is a tourism proposal requiring a rural location; or
- e. Is a site for new and existing land based rural businesses/enterprises.

Employment and Training Opportunities

19. Support will be given to the creation of employment and training opportunities for residents. Major development proposals will demonstrate how opportunities arising from the proposal will be made accessible to the Borough's residents, particularly those in the most deprived areas and priority groups.

Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:

- a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
- b) Protecting and enhancing designated sites (including the Teesmouth and Cleveland Coast Special Protection Area and Ramsar) and other existing resources alongside the provision of new resources.
- c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
- d) Enhancing woodlands and supporting the increase of tree cover where appropriate.
- e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.
- f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.
- g) Directing appropriate new development within the countryside towards existing underused buildings on a site for re-use or conversion in the first instance. Only where it has been demonstrated to the satisfaction of the local planning authority that existing underused buildings would not be appropriate for the intended use should new buildings be considered.
- h) Supporting the conversion and re-use of buildings in the countryside where it provides development identified within Policies SD3 and SD4, and meets the following criteria:
 - i. The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding;
 - ii. Any alterations or extensions are limited in scale;
 - iii. The proposed use does not result in the fragmentation and/or severance of an agricultural land holding creating a non-viable agricultural unit; and

- iv. Any associated outbuildings/structures are of an appropriate design and scale.
- 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.
- 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.
- m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

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

- a. Directing development in accordance with Policies SD3 and SD4.
- b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.
- c. Supporting sustainable water management within development proposals.
- d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.
- e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.
- f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.
- g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.
- h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.

Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
- b. Landscape character of the area, including the contribution made by existing trees and landscaping;
- c. Need to protect and enhance ecological and green infrastructure networks and assets;
- d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
- e. Privacy and amenity of all existing and future occupants of land and buildings;
- f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;

- g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
- h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.

2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

Economic Growth Policy 7 (EG7) - Supporting Rural Economic Development

1. The Council will support and promote the sustainable growth and expansion of both new and existing rural land-based businesses and enterprises, both through the conversion of existing buildings and well-designed new buildings which are well related to existing development and respect the character of the countryside.

2. Support will be given to farm, agricultural and land based diversification schemes, rural leisure and tourism developments which build on the unique assets of the Borough, the introduction and improvement of information communications technology (ICT) networks to help support local businesses, including the expansion of high-speed broadband.

3. Support will be given to retail development associated with farm shops and horticultural nurseries where proposals are small in scale and ancillary to the main use of the farm/nursery and do not cause significant harm to the vitality and viability of local centres.

4. Proposals for farm diversification must be accompanied by a comprehensive whole farm diversification plan, which establishes how the proposed changes will assist in retaining the viability of a farm and its agricultural enterprise.

5. The Council will support and promote the retention and development of local services and community facilities in villages, which meet the day to day needs of rural communities such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. Proposals which involve the re-use or redevelopment of existing land or buildings where the last use was for community purposes or providing community facilities will be considered against Policy TI2.

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

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

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.

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

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

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

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

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

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

a. Internationally designated sites - Development that is not directly connected with or necessary to the management of the site, but which is likely to have a significant effect on any internationally designated site, irrespective of its location and when considered both alone and in combination with other plans and projects, will be subject to an Appropriate Assessment. Development requiring Appropriate Assessment will only be allowed where:

i. It can be determined through Appropriate Assessment, taking into account mitigation, the proposal would not result in adverse effects on the site's integrity, either alone or in combination with other plans or projects; or ii. as a last resort, where, in light of negative Appropriate Assessment there are no alternatives and the development is of overriding public interest, appropriate compensatory measures must be secured.

b. Nationally designated sites - Development that is likely to have an adverse effect on a site, including broader impacts on the national network of Sites of Special Scientific Interest (SSSI) and combined effects with other development, will not normally be allowed. Where an adverse effect on the site's notified interest features is likely, a development will only be allowed where:

i. the benefits of the development, at this site, clearly outweigh both any adverse impact on the sites notified interest features, and any broader impacts on the national network of SSSI's;

ii. no reasonable alternatives are available; and

iii. mitigation, or where necessary compensation, is provided for the impact.

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

Where development on a site is approved, mitigation or where necessary, compensatory measures, will be required in order to make development acceptable in planning terms.

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

6. When proposing habitat creation it will be important to consider existing habitats and species as well as opportunities identified in the relevant Biodiversity Opportunity Areas. This will assist in ensuring proposals accord with the 'landscape scale' approach and support ecological networks.

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

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

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

6. To improve the quality of the water environment the Council will:

- a. Support ecological improvements along riparian corridors including the retention and creation of river frontage habitats;
- b. Avoid net loss of sensitive inter-tidal or sub-tidal habitats and support the creation of new habitats; and
- c. Protect natural water bodies from modification, and support the improvement and naturalisation of heavily modified water bodies (including de-culverting and the removal of barriers to fish migration).

Historic Environment Policy 1 (HE1) - Conservation and Enjoyment of the Historic Environment

1. To ensure the conservation and enjoyment of the Borough's historic environment the Council will:

- a. Maintain and promote the use of Historic Environment Records;
- b. Review and regularly update the SPD4 Conservation and Historic Environment Folder or any successor. This will include review and regular update of:
 - i. Conservation Area Appraisals and Management Plans;
 - ii. Article 4 directions, and;
 - iii. Local List.
- c. Produce and maintain a Heritage Asset at Risk Register, and pro-actively seek to reduce the number of heritage assets on the register by:

- i. Exploring innovative ways to bring assets into viable uses consistent with their conservation; and
- ii. Appropriate enforcement.
- d. Actively explore opportunities to secure funding and partnership opportunities to deliver schemes that improve the historic environment including the removal of heritage assets from the at risk register; and
- e. Deliver and implement the Council's Heritage Strategy Action Plan.

Historic Environment Policy 2 (HE2) - Conserving and Enhancing Stockton's Heritage Assets

1. In order to promote and enhance local distinctiveness, the Council will support proposals which positively respond to and enhance heritage assets.

2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment that describes the significance of the asset(s) affected, including any contribution made by their setting. Appropriate desk-based assessment and, where necessary, field evaluation will also be required where development on a site which includes or has the potential to include heritage assets with archaeological interest. Applicants are required to detail how the proposal has been informed by assessments undertaken.

3. Development proposals should conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. Where development will lead to harm to or loss of significance of a designated or non-designated heritage asset the proposal will be considered in accordance with Policy SD8, other relevant Development Plan policies and prevailing national planning policy.

4. The loss of a heritage asset, in whole or part, will not be permitted unless the Council are satisfied that reasonable steps to ensure new development will proceed after loss has occurred.

5. Where the significance of a heritage asset is lost (wholly or in part) the Council will require developers to record and advance the understanding of the significance of the heritage asset in a manner proportionate to the importance of the asset and impact of the proposal. Recording will be required before development commences.

6. The following are designated heritage assets:

- a. Scheduled Monuments - Castle Hill; St. Thomas a Becket's Church, Grindon; Barwick Medieval Village; Round Hill Castle Mound and Bailey; Larberry Pastures Settlement Site; Newsham Deserted Medieval Village; Stockton Market Cross and Yarm Bridge
- b. Registered Parks and Gardens - Ropner Park and Wynyard Park
- c. Conservation Areas - Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Egglescliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm
- d. Listed Buildings

11. Where archaeological remains survive, whether designated or not, there will be a presumption in favour of their preservation in-situ. The more significant the remains, the greater the presumption will be in favour of this. The necessity for preservation in-situ will result from desk-based assessment and, where necessary, field evaluation. Where in-situ preservation is not essential or feasible, a programme of archaeological works aimed at achieving preservation by record will be required.

12. Any reports prepared as part of a development scheme will be submitted for inclusion on the Historic Environment Record.

MATERIAL PLANNING CONSIDERATIONS

Procedure: EIA Regulations

28. The development does not fall within Schedule 1 of the Regulations. The development is Schedule 2 Development falling within the description of Part 12(c), the development would exceed 0.5hectares threshold in Colum 2 of the table and therefore is required to be appraised against Schedule 3. In doing so it is the opinion of the LPA that the development of 14 No. lodges would not due to the considerations below compromise EIA development.
29. The main planning considerations of this application are the compliance with the development plan and national and local planning guidance as well as the impacts of the development on the character of the area, amenity of neighbouring occupiers, highway safety, risk of flooding and ecology; such matters are discussed below;

Principle

30. Within the supporting Planning Statement there is a great emphasis on the benefits tourism can have in terms its contribution to the rural economy and the wider social and economic benefits surrounding it. Para 83. of the NPPF requires that decisions should amongst other enable, the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings, the development and diversification of agricultural and other land-based rural businesses and sustainable rural tourism and leisure developments which respect the character of the countryside. Para 84, recognises that sites to meet local business and community needs in rural area may have to be found adjacent to or beyond existing settlements, and in locations not well served by public transport.
31. Indeed Policy SD4(18) in line with the NPPF seeks to support appropriate economic growth development within the countryside that cannot be located within the limits to development, or is of an appropriate scale and does not harm the character and appearance of the countryside; where it is a tourism proposal requiring a rural location; or is a site for new and existing land based rural businesses/enterprises. Additionally, the Council will support and promote the sustainable growth and expansion of both new and existing rural land-based businesses and enterprises, both through the conversion of existing buildings and well-designed new buildings which are well related to existing development and respect the character of the countryside.
32. Tourist accommodation in itself is a widely accepted form of development which offers a contribution to the rural economy. The proposal would make provision for tourist accommodation in close proximity to Yarm and as visitors using the proposed accommodation would be likely to visit other places to eat, drink and utilise leisure and recreation facilities, the proposal would make a positive contribution to the local economy. The application has been supported by an Economic and Tourism report which seeks to support the contribution this development would have to the wider local economy in terms of job creation, during the construction and operation, additional expenditure and through the enhancement of Stockton's Tourism portfolio.
33. The 'A Visitor Economy Strategy and Destination Management Plan for Stockton-on-Tees 2019 – 2025' is still in Draft format and therefore is given little weight in consideration of this application. However, it is noted that the strategy recognises the attraction of the River Tees in terms of drawing people to the area , it also sets out that the lack of non-resident visitors and overnight stays have been identified as a weakness. It is also accepted that day visitors spend less in the economy than those overnight visitors. Furthermore, it is recognised that holiday use would be materially different from permanent residential use in terms of access and travel requirements and the daily needs of occupants in terms of principle and whether a development would be considered 'sustainable'.

34. Objectors have raised concerns over the sustainability of the site, however as set out above there is a recognition that not all forms of development relating to the rural economy can be contained within development limits and be well served by public transport. However, as set out earlier within the report, Yarm is accessible by PRow within an approximately 32minute walk. Furthermore the Tees Flex scheme currently operates from Aislaby and provides transport around the Borough including the train stations and airports meaning that users would not be confined to car borne journeys and could feasibly arrive via public transport and not be reliant upon a use of a car during the period of their stay. It is also recognised that that even visitors who are reliant on the car would not operate in the same manner as if this was a permeant residential dwelling.
35. Should the principle of the development be established and all other material planning considerations satisfied, approval of the proposed development would require suitably worded conditions in respect of tight controls over the occupation of the lodges to ensure they remained for their intended purposes and for the reasoned justification would be given and not used for permeant residential purpose.

Character and Visual Impact

36. The impact on the character of an area is not something which is purely about the visual appearance, it is also about the nature of development and how that creates a sense of place. Para 84 of the NPPF sets out that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.
37. The site, is within the open countryside but is not within any sensitive landscape designations, although located within the Tees Heritage Park. The main form of development is residential development principally being contained within the defied development limits with outlying farm holdings set within the principally agricultural landscape.
38. The application has been supported by an LVLA which concludes;

The effect of the proposed development on a landscape character areas is judged as minor/neutral and adverse at a National level, moderate /minor and adverse at a regional and sub regional level. Then effect of the proposed development on the site and its immediate surroundings is minor and adverse

Effects on landscape character are local to the site. Impact at national, regional and sub regional levels are minimal. The effects of the proposed development on visual receptors ranges from minor and adverse to minor/neutral and adverse

Effects on visual receptors are generally restricted to the on the boundaries of the site. Receptors outside the site, including the Teesdale Way will be minimally impacted, with any potential impacts being greater when the existing vegetation is not in leaf.

The main impacts on both landscape character and visual receptors will be when the proposed car is in use and the site active. Mitigation is possible, that will reduce both landscape and visual impacts further.

Residual landscape and visual impacts following primary and secondary mitigation are considered acceptable.

39. There is a public footpath running along the eastern site boundary following the existing gravel surfaced track past the residential properties of Holmewood Court down to the River Tees, with a second footpath approaching the site from the direction of Yarm School Playing Fields, through the agricultural landscape. Of the viewpoints selected only those on the highway immediately to the north, and those on public footpaths within close proximity of the site (viewpoints 1,2 and 4) will gain any real views of the development. Road users will gain only glimpsed views of the development as they pass the site entrance. Footpath users are more sensitive to changes in their view, and will note the change from open field and fishing lakes to the proposed lodge development.
40. The proposed lodges are modest in size, being single storey with a low profile. They are of timber construction with only minimal window and door openings. Through control of materials, in particular the lodges finished colour, it is considered that the structures will blend with their landscape backdrop. Through enhancement of the site with the existing and proposed landscaping, the edges of the development will be softened, and the structures only visible through filtered views once the landscaping has matured. It is not considered that, subject to the recommended conditions, this relatively small scale lodge development would appear so intrusive as to have a significant adverse impact on the character of the area. The latter stages of this report consider whether the level of activity associated with the use would have a significant adverse impact.
41. The Councils Senior Landscape Architect has reviewed the LVLA and is satisfied that with the suggested mitigation measures. Along with detailed landscape plans, that there is no objection to the principle of the development in terms of landscape visual.
42. The proposed development is proposing to incorporate a significant extent of woodland planting to aid in the screening of the proposed development. Whilst it is accepted that the proposed development would provide limited filtered views onto the site once matured and would bring biodiversity gains through the creation of additional habitat, consideration has to be given to whether the extent of landscaping is appropriate within the context of the site and wider area. In reviewing the wider context of the site, there are examples of woodland coppices within the immediate vicinity and surrounding areas. It is therefore not considered that the planting of native species trees within the context of the wider site would in itself form an incongruous landscape feature and is therefore considered to represent an appropriate form of mitigation/ enhancement.
43. Policy EG7 seeks to support development whereby it will bring economic benefits whilst still respecting the character of the countryside. Whilst the objectors concerns over impact on the character and tranquillity of Aislaby are noted, it is considered that the siting of 14no. lodges of the nature proposed, subject to suitable controls through the recommended conditions, would not generate a degree of intensification which would undermine the character of the open countryside or create a landscape visual impact to a degree which a reason for refusal could be sustained. The proposed development is therefore considered to comply with the requirements of the Policies SD5, SD8 and EG7 of the local Plan along with the relevant NPPF paragraphs.

Heritage Assets

44. Sections 16, 66 and 72 of the Planning Listed Buildings and Conservation Areas Act requires the LPA to give special consideration to the desirability of preserving or enhancing the character or appearance of that area. The application was supported by a Heritage Assessment to take into consideration the Setting of Holmewood Court, a grade two listed building to the south of the site.

45. Policy HE2 states that development proposals should conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. The Councils Conservation & Historic Buildings Officer, has reviewed the proposal and has confirmed that due to the intervening distances and screening in place between the existing building and the application site, she has no concerns in respect of the setting of the listed building and do not consider that the proposal would adversely impact on this.
46. Furthermore Tees Archaeology were consulted and whilst the site may have contained archaeological remains, extensive modern landscaping on the site is likely to have significantly impacted their survival. There are therefore no archaeological requirements.

Amenity

47. A number of the objectors raised concerns over the establishment of a commercial tourism accommodation within the context of this site, the potential for further expansion and the potential this would have on their amenity with regards to noise and disturbance, anti-social behaviour and light pollution.
48. Following receipt of the revised plans would retain a separation of (approx..) 43m from the edge of the site to the edge of the site boundary of the closest residential dwellinghouse to the south, and (approx..)73 m to the dwellinghouse, the closest lodge would be set in from the site boundary by approximately 19m beyond the proposed woodland planting. It is however noted that due to the topography of the site, it does occupy an elevated position. To the west of the site the closet residential dwelling is (approx.) a 100m to the residential boundary and (approx.) 134m to the dwellinghouse itself. The western boundary of the site is formed by an existing woodland coppice, albeit outside of the applicant's ownership. There will also be additional tree planting contained within the site boundary.
49. The concerns of the objectors are noted with regards to concerns over increased levels of anti social behaviour. The Police Liaison Officer was consulted as part of the application and has raised no objection to the proposed development. It is noted that the Design and Access Statement references secure by design, an informative is recommended to encourage the developer to work with the Police Crime liaison officer to achieve this.
50. In response to concerns raised the agent has confirmed that the;

Holiday lodges will be managed in the same way the ones on the river side had been. They will be managed from the family home at Holmewood by the applicants wife and daughter which is only 100m to the south. All laundry and cleaning will be done in house so there will be no need for a managers house on the site. The site will have a strict policy in place against anti social behaviour such as loud music etc with all guests expected to be inside the lodges by 10pm each evening. Failure to adhere to the site policies will not be tolerated and this will be overseen by the management with the aid of cctv cameras. The site will be fitted with security gates accessed only by guests after making contact with the management.

51. The Environmental Health officer has confirmed that subject to the recommended conditions they have no objection to the proposed development. To ensure appropriate management of the site in the future a condition is recommended tying to the propose development to the planning unit. The operations of the Site would be further controlled by licensing and through Environmental legislation.
52. The details of the lodges shown have been updated to show a 2.4m deep gravelled area for amenity space to each lodge to house a picnic table etc (no decking), Furthermore it has not been proposed to incorporate hobs tubs within the development and a condition is proposed to ensure that such development is not installed. It is considered that subject to the proposed

conditions relating to the management and lighting that due to the degree of separation and the proposed and existing landscaping that the proposed development would not have a significant adverse impact on the occupiers of the adjacent dwellings, or the character of the area, as to adversely affect the amenity of the occupiers of the adjacent dwellings.

Highways

53. The majority of the objectors have raised concerns over the potential impact on the highways and parking issues as a result of the proposed new dwellings, with key concerns focusing on the access and guest using Aislaby Road as a means of accessing Yarm . The application was submitted with a speed survey, which demonstrates that suitable visibility can be achieved from the existing junction. The Highways Transport and Design Manager has raised no objection to the proposed development. A condition is recommended to secure the provision of car parking spaces, to ensure that the proposed development does not affect the parking associated with the lodge and wider access.
54. The objection from the Ramblers Association is noted. The applicant has recognised that during the construction phase between users of the public footpath and delivery vehicles but to mitigate this the applicant proposes to use banksmen to direct vehicles and watch out for users and ensuring road safety at all times. However, the Council's PRow officer has raised no objection to the proposed development.
55. Subject to the recommended conditions, it is considered the proposed development would not have an unacceptable impact on highways safety and that the immediate local benefits from sustainable transport links and pedestrian links. Therefore, no objection is raised in terms of highways safety.

Drainage/ Flood Risk

56. The LLFA has confirmed that they have no objection to the proposed development and that the applicant has provided sufficient information to satisfactorily demonstrate, subject to the recommended condition that the proposed development would not increase existing flood risk to the site or surrounding area.
57. Foul water will be installed as per the outline drainage design (Appendix A), due to there being no public sewers within close proximity to the site, the proposal is to connect the foul water into a sewerage treatment plant before discharging into the local watercourse. The EA have been consulted however at the time of writing no written representations had been received. Members will be updated at the planning committee as to any representations received.

Ecology

58. It is noted that the objectors have raised concern of the proposed development. The application was submitted with the support of a preliminary Ecological Survey. The report concluded that the site was deemed to be of moderate ecological value. The trees on site are of low value to roosting bats. The hedgerow along the northern boundary is deemed to be of good value to nesting birds. The site has low value for badgers and breeding great crested newts, despite 4 ponds present within the area. Following the site assessment and in review of the findings, Naturally Wild comment that a variety of recommendations and mitigation measures and subject to the mitigation and enhancement measures being implemented in full accordance with the submitted survey, it is not considered that the proposed development would not be a significant impact to protected species or habitats as a result of the proposed works. A condition is recommended to secure this detail.

Residual matters

59. The neighbour objections have raised concerns over impact on house prices. This is not considered to be a material consideration in the determination of this planning application.

60. A number of objectors have noted an appeal was dismissed due to the impact on the landscape character of the creating of a new access close to the site, ref 14/2285/FUL. However, each site and development proposal must be considered on its own merits.
61. The land owner of the access has advised that the applicant has no additional rights of access over than above that of his own use. This is considered to be a civil issue.
62. The comments of the Principal Environment Officer are noted, however the total gross floor space created by the proposed development would fall below the threshold requirement for the submission of an energy statement under Policy ENV1.

CONCLUSION

63. It is recommended that the application be Approved with Conditions for the reasons specified above.

Director of Finance, Development and Business Services
Contact Officer Helen Boston Telephone No 01642 526080

WARD AND WARD COUNCILLORS

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

IMPLICATIONS

Financial Implications:

N/A

Environmental Implications:

N/A

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:

Supplementary Planning Documents

SPD1 – Sustainable Design Guide
SPD2 – Open Space, Recreation and Landscaping
SPD3 – Parking Provision for Developments
SPD4 – Conservation and Historic Environment Folder