

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

19 January 2021

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

21/0345/FUL

**Land East Of Hanzard Drive, South Of Bloomfield Drive/Applecross And North Of Glenarm Drive, Wynyard,
Erection of local centre comprising of commercial use and 20no residential apartments to include associated infrastructure works.**

SUMMARY

The application site extends to approx. 0.7 ha and is currently undeveloped land, formerly in agricultural use, situated between the existing Bloomfield Drive residential development to the north, various commercial units served from Glenarm Road to the east and south and Hanzard Drive spine road to the west. The site is within defined development limits and is identified as a local centre within the Wynyard Masterplan. The principle of development within this location has therefore been established.

The application is for a mixed commercial residential development with a total number of 20 flats and 1,352 square metres of commercial floorspace.

A total of 11 letters of objection have been raised along with 9 letters of support and 1 letter of representation

The planning application is for a development where the principle of a mixed used development has already been established within the adopted Wynyard Masterplan. The nature and scale of the development is acceptable, and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on the character of the area, amenity of any adjacent neighbours or highway safety.

The technical consultees and officers have reviewed all the supporting information and have, on balance, concluded that the proposed development would result in a satisfactory form of development subject to the imposition of the recommended conditions and a Section 106 agreement.

The proposed development would also offer both economic and social benefits through the construction of the homes and commercial units, These are all benefits which weigh in favour of the proposal albeit they need to be balanced against other material planning considerations.

To summarise, the proposal is deemed to be in accordance with policies in the Development Plan and therefore the recommendation is to approve the application subject to the Heads of Terms and conditions set out in the report below.

RECOMMENDATION

That planning application 21/0345/FUL be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Section 106 Agreement detailed in the Heads of Terms below;

CONDITIONS

In accordance with Section 100ZA (5) of the Town and Country Planning Act 1990, if the Local Planning Authority is minded to grant planning permission subject to pre-commencement conditions it may only do so with the written agreement of the applicant to the terms of the conditions.

Officers have proposed a number of pre commencement conditions, following confirmation from the agent these will be circulated ahead of the planning committee meeting.

HEADS OF TERMS

Affordable housing off site contribution £296,000

NHS off site contribution £11,550

Open space TBC

Education TBC

BACKGROUND

1. The Site has no previous planning history but is identified within the Wynyard Masterplan as a Local Centre and includes with allocation H1(8) of the Stockton Local Plan.
2. There is also a pending application, planning ref 21/0254/ADV for advertisement consent for the proposed Co-op which is proposed to occupy the ground floor of unit 1 on this application.

SITE AND SURROUNDINGS

3. The application site, hereby referred to as the Site is located within Wynyard Park, approximately 300m north of the A689, immediately east of Hanzard Drive.
4. The site occupies 0.7 hectares of undeveloped land, formerly in agricultural use, situated between the existing Bloomfield Drive residential development to the north, various commercial units served from Glenarm Road to the east and south and Hanzard Drive spine road to the west.
5. The site holds an elevated position to the residential properties to the north. A 6m drainage easement is located along the northern boundary between the proposed site and existing two-storey residential dwellings at Applecross Grove and Bloomfield Drive.

PROPOSAL

6. Planning permission is sought for a mixed commercial and residential development. The proposed is seeking permission for 1,352 square metres of commercial floorspace, within Class E (commercial, business and service). This commercial floorspace will be located at ground floor level consisting primarily of a convenience store, restaurant, hair salon and various boutiques. The restaurant may include a small element of hot food takeaway. Above the proposed units permission is sought for 20 residential apartments. This is a reduction from the originally proposed 24 flats. The development breaks down into the following elements;

Unit 1, 2 and 3

7. Unit 1 would be a part three storey part two storey unit. A commercial unit would occupy the ground floor. The first and second floor would have a total of 8 no flats, 4no 1 bedroom and 4no 2 bedroom. The eaves height of the two-storey element would be approximately 6.7m to the eaves with the ridge height of approximately 10.4m. The three-storey element would have an

eave height of approximately 9.6m and ridge height of approximately 12.7m, to the top of the weather dial would be approximately 15.2m.

8. Units 2 and 3 two would be two storey units, with two separate commercial units occupying the ground floor. The first floor would have a total of 6 flats, 1 no 1 bedroom and 5no 2 bedroom flats. The eaves height would be approximately 6.6m and a ridge height of 9.8m.
9. The commercial units would have the following floor spaces. All commercial units would be ground floor only.
 - Unit 1 Coop 418sqm / 4500sqft
 - Unit 2 Retail Unit 189sqm / 2034sqft
 - Unit 3 Retail Unit 196sqm / 2110sqft

Unit 4

10. Unit 4 would be a two storey commercial building, with a eaves height of approximately 5.4m and a ridge height of approximately 8.5m with a floor space of 279sqm / 3003sqft

Units 5 and 6

11. Units 5 and 6 two would be three storey units. Two separate commercial units would occupy the ground floor, although unit 5 would be capable of sub division into two units. The first and second floors would have a total of 6 flats, all of which would be 2 bedroom. The eave height would be approximately 8.5m and a ridge height of 12.2m.
12. The commercial units would have the following floor spaces. All commercial units would be ground floor only.
 - Unit 5 Commercial 186sqm / 2000sqft
 - Unit 6 Commercial 84sqm / 904sqft
13. Each unit across the development site would have its own yard area and units 1 and 6 would have separate residential bin storage. The proposed site plan includes an indication of the soft and hard landscaping.

CONSULTATIONS

14. The following Consultations were notified and any comments received are set out below:-
15. National Highways - No objection
16. Highways Transport & Design Manager - The Highways Transport and Design Manager raises no objections to the proposals.

Highways Comments

The applicant has provided a Transport Statement (TS) and updated technical note that provides additional information on trip generation. In addition, the site layout plan, drawing reference JCM001 303 Rev C, in support of the proposals which have been reviewed and considered against the Councils design guide and SPD3: Parking Provision for Developments 2011.

Masterplan

The proposals are broadly in line with the approved Wynyard Masterplan, which has been adopted by both Hartlepool and Stockton Borough Councils. The revised drawing takes account of the proposed re-alignment of Hanzard Drive and the provision of a new roundabout, which will be located circa 100m to the north west of the site access, at the junction of Hanzard Drive and Bloomfield Drive.

Traffic Impact

As set out in the TS the proposed development, in relation to the retail element, is unlikely to generate a significant level of new traffic with most trips associated with the proposals being either 'transferred' or 'pass-by' trips which are already on the wider highways network. As such it is not considered that the proposals, in the context of the NPPF, would result in a severe impact on the local highways network.

Site Access / Layout

The site would be access from Hanzard Drive / Bloomfield Drive via a simple priority T junction. The capacity of the proposed junction has been assessed, within the TS, and it would operate within theoretical capacity. The proposed junction arrangement is therefore considered to be acceptable.

As indicated on the revised site plan a total of 90 parking spaces will be provided, to serve both the retail and residential elements of the proposals, which is broadly in accordance with the requirements set out in SPD3: Parking Provision for Developments 2011. Included are 5 disabled bays that accords with the standards and electric vehicle charging points are also indicated. The proposed car parking provision is therefore considered to be acceptable, subject to the EV charging points being conditioned. Swept path analysis is provided for a refuse vehicle and the drawing indicates that no HGVs will be used for delivery purposes to the retail units. A Servicing Plan should therefore be provided in order to address timings and vehicle movements associated with these deliveries. This should be conditioned to be provided and to be in perpetuity given the mixed use with residential areas.

Sustainable Connections

The site is well located in relation to the existing residential developments in this area and is accessible on foot, by bike or by utilising the free demand responsive bus service which is currently provided by the applicant. The Framework Travel Plan is acceptable in principle and full Travel Plan should be conditioned.

Construction Traffic Management

The applicant has indicated, within the TS, that a Construction Traffic Management Plan will be provided however, this should be secured by condition.

Landscape & Visual Comments

The proposed development is for a local centre for residents of Wynyard.

Proposed units 1-4 are located in close proximity to residential dwellings on Hanzard Drive and Applecross Road, and area located directly to the south. The proposals have been modified and reduced in height to a maximum of 2 storeys. The Highways Transport and Design Manager had previously raised concerns regarding the potential shading of these dwellings and their private gardens. The Sun Path information has not been updated, but it is acknowledged that the effects of shading will reduce as a result of the removal of the third storey. The Sun Path drawings provided demonstrate that during the summer months, shading as a result of the development will have only a minimal impact. However, during the winter months, shading of the properties closest to the development will increase, with gardens in full shade for parts of the day. Although, it is acknowledged that use of external areas will be reduced during this period.

The submitted noise report requires that a 3m high noise barrier fence will be required along part of the northern boundary of the development site adjacent to the residential property 4 Hanzard Drive. The length of this 3m high fence has been significantly reduced to minimise the impact upon the amenity of this property and its private garden, and also the openness of the development frontage. The proposals have also increased the available space for planting as requested.

A more detailed and improved landscape masterplan for the site has been provided, which considers the constraints of the site and issues raised regarding the feasibility of the proposals. As mentioned previously, where trees are proposed within 2m of the adopted highway a root barrier membrane will be required along the edge of the highway footpath to protect the highway from future damage by tree roots, however this element can be conditioned.

Having reviewed the revised information the Highways Transport and Design Manager still has some concerns regarding the impact of the building on the amenity of these properties due to shading and lack of landscaping between them, however no objections are raised.

Should the application be approved it is requested that the following conditions be applied to any permission:

- Hard landscaping – to determine the specific paving units and colour mix;
- Street furniture – to determine the precise details and appearance of all street furniture;
- Soft landscape management plan; and
- Protection of the highway from tree root damage.

17. Environmental Health Unit (Contamination) - note the presence of radon gas in the area and the requirement for radon protection measures within the adjacent development. In addition, peat has been identified in the underlying geology to significant depths within the area, requiring gas/groundwater monitoring and is a potential source of ground gas.

I would therefore recommend a risk assessment is undertaken of the ground conditions and contaminated land (including gases and contamination of surface water) prior to commencement.

18. Environmental Health Unit - I have no objection in principle to the development, subject to the imposition of the following condition and as well as the conditions provided in the previous response, submitted 08/08/21:

Due to the close proximity of existing residential properties and the proposed mixed commercial/residential use, I have concerns regarding the likelihood of noise and potential odours arising from commercial units.

The submitted noise report (23rd Dec 2020, Ref 784-B026135) has assessed the impact of plant equipment and deliveries on the nearest residential premises, including the adjacent premises and flats above, and this shows that mitigations are required in order to achieve an adequate internal noise environment. These include standard double glazing will result in target criteria being met throughout the site, and alternative ventilation will be required for some living rooms and bedrooms within those parts of the site to address delivery noise. With regard to existing residential receptors adjacent to the northern boundary of the site, screening from the delivery area (3.0m close boarded fence) would achieve an acceptable internal and external noise environment.

I would ask that an assessment of noise transference between commercial and residential floors is made, as the intensified use of the premises is likely to result in noise transfer. I would also request further details of ventilation systems is submitted prior to approval.

There is also no information regarding whether the commercial shall require odour abatement systems. I would therefore recommend that prior to the application being approved, details of any odour abatement is submitted.

19. Tees Archaeology - This site has previously been subject to archaeological evaluation and no further investigation is required.
20. Northern Gas Networks - No Objection
21. Chief Fire Officer (Cleveland Fire Brigade) - no representations regarding the development as proposed. Further comments may be made through the building regulation consultation process as required.
22. Hartlepool Borough Council - supportive of the development of the internal road network at Wynyard, in order to support resident movement and link separate developments into a single community. The Wynyard Masterplan requires an internal road network to be of a standard that can be adopted by the Highway Authority and so the acceptability of the proposal will also be subject to the satisfaction of Stockton's Highways Team
23. Alexander Cunningham MP - Constituents from the Bloomfield Drive/Applecross Grove area of Wynyard, to the North of this proposed development site, bought their homes in the last four years and tell me that at the time that the homes were being built and sold they were advised that there would be a small commercial development locally, but that this would not have an impact on this particular development as it would be located on land to the West of Hanzard Drive, away from the residential areas. Most will have bought homes after viewing the Master Plan back in 2017 and whilst land use is often subject to change in areas that are being developed, it should be of no surprise that many people living locally object to this particular development on their doorstep.

The proposed development is particularly close to the housing at the end of Applecross Grove and these residents will inevitably suffer the most with a loss of privacy and the impact of noise. The location of pub/restaurant and take away premises creates concerns regarding noise late at night and the addition of a small supermarket brings additional concerns of early morning noise from delivery lorries. There are additional concerns in relation to increased traffic, and a potential for anti-social behaviour, litter etc. It should also be noted that this land is currently well used by local residents for exercise, and for dog walking etc. so whilst it may be argued that there is a benefit to additional services locally it should be acknowledged this will come at a loss of the space as it is currently used.

I have no doubt that the area would benefit from the creation of community facilities and affordable housing but residents tell me that this would be best delivered at the location originally identified for this purpose, and with consideration given to pedestrian and cyclist road safety, security (location of lodge), and the environmental impact of such a development.

The main roads in this area, do suffer from speeding traffic and if people locally are to be confident that they can walk and cycle safely in the area then further consideration needs to be given to how traffic speed is addressed.

Finally, I am also advised by local residents that they did not receive the required notification period in order to submit objections. Notification was only received 14 days prior to the deadline. Given this concern, I would be grateful if you could confirm that any objections received after the deadline will be considered and that a further letter is issued to all local residents regarding an extension of time to submit any concerns that they may have in relation to this proposal.

24. Northumbrian Water Limited - It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during

any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/>

For information only; We note the proposed site plan demonstrates a band of planting to the north of the site where two sewers are present. The sewers are currently undergoing a Section 104 agreement for the adoption of those assets. Therefore, we would like to recommend the developer refers to the planting guidance set out within Sewers for adoption 6th edition to ensure the proposed planting does not affect the adoption process.

25. Sport England - No further comment to make

26. Health and Safety Executive - This application does not fall within any HSE consultation zones. There is therefore no need to consult HSE on this planning application and HSE has no comment to make.

27. SBC Housing Services Manager - I would seek the following commuted sum contribution;

24 residential apartment dwellings translates to 5 affordable apartments (20% = 4.8 rounded up to 5) required to satisfy the Affordable Housing SPD.

Median price source used is the following information (Table 2A);

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/medianhousepriceforationalandsubnationalgeographiesquarterlyrollingyearhpssadataset09>

Applying the existing and currently approved Affordable Housing SPD the commuted sum attributed to the 5 affordable housing units is calculated as follows;

The median price in the Stockton Borough was £148,000 at June 2020

The anticipated Registered Provider contribution is 60% of the value of each affordable housing unit.

The residual affordable housing contribution of 40% represents the Developer contribution and thus the Commuted Sum.

Translating all of these figures into the Affordable Housing SPD formula for Commuted Sums means the overall price value of the 5 affordable units is $5 \times £148,000 = £740,000$

Less the Registered Provider contribution @ 60% = 60% of £740,000 = £444,000

Leaving a residual Commuted Developer contribution of 40% which equates to £296,000

28. NHS - An £11,550 off site contribution required.

PUBLICITY

29. Neighbours were notified, a site notice and a press advert were displayed/published. The main reasons for objections can be summarised as follows;

Letters of Support

1. Miss Simona Pankinaite 7 Rose Vale Wynyard
2. Miss Anne-Marie Howells 22 Mulberry Way Wynyard
3. Emma McCullagh 17 Mulberry Way Wynyard
4. Brian Boston 4 Drayton Gardens Wynyard
5. Mr David Bigerstaff 22 Mulberry Way Wynyard
6. Mr Shaun Hogg 39 Goldcrest Crescent Wynyard
7. Mr Kevin Conway 7 Rose Vale Wynyard

8. Mrs Sophie Baker 43 Goldcrest Crescent Wynyard
 9. Mr Michael McAvoy 5 Musgrave Garden Lane Wynyard
- Welcomed amenities which look in keeping with the area.
 - Provide a social space to meet your neighbours, bring a community feel
 - sustainable
 - The proposed building looks to be in keeping with the area and is more attractive than the industrial units behind the estate.
 - Development was sold with the proposal of amenities in the future and it is included in the 10 year plan for the area. This estate desperately needs the amenities
 - Need to look into installing a crossing point - either a zebra crossing or pedestrian controlled point, and the security hut should be further looked at as these will also benefit the area.
 - In keeping with Masterplan
 - Will separate the existing industrial units and office space from the housing development. Both residents and employees of the local businesses would make great use of this local centre.
 - Soften the impact of the existing industrial shed
 - Well thought out frontages
 - Apartments will help create a diverse range of accommodation
 - Existing services in the area are unreachable by foot

Letters of Objection

1. Ms Minna Ireland 22 The Green Elwick (Elwick Parish Council)
 2. Mr Kevin Gamesby 4 Applecross Grove Wynyard
 3. Kate Stewart 2 Applecross Grove Wynyard
 4. Laura Mathieson-Pybus and Kenneth Pybus 40 De Havilland Way Hartlepool
 5. Fareed Esack 14 Applecross Grove Wynyard
 6. Rob Haggath 12 Applecross Grove Wynyard
 7. Mr Michael Illingworth 4 Fox Covert Close Wynyard
 8. Craig Honeyman 16 Applecross Grove Wynyard
 9. Mrs Sue Finch 18 Applecross Grove Wynyard
 10. Mr Matthew Turner 20 Applecross Grove Wynyard
 11. Mrs Lynsey Thomas 19 Silvermede Road Wynyard
- Application not in accordance with the Local Plan policies
 - Public transport is limited to the trial of Tees Flex and may affect future occupiers who will be reliant on cars
 - No electric charging points
 - No solar panels
 - It should be on the land between Storeys and Taylor Wimpey site
 - Loss of green space which was sold as part of the development Quite residential area
 - This development will significantly increase the traffic to the area making it unsafe for them to openly play, while reducing the open space they can access.
 - Air Quality
 - Impact on ecology
 - To place a 3 storey building as per the plan will block all of the morning sun onto the adjoining properties. The building should be two stories maximum.
 - Devaluation of properties
 - Change of ground levels would impact on residents
 - Excess parking
 - Will require landscaping to mitigate visual impact
 - Noise and disturbance especially from service yard

- Odour
- Existing coop five minute drive away
- Increased vermin
- Concern over future use of HGV's
- Length of public consultation
- Anti social behaviour
- Loss of privacy
- No more housing should be granted until a secondary school is provided along wityh a church and doctors surgery
- Out of keeping with character of the area
- requirement for turning heads for buses

Representation:

1. Mrs Margaret Johnson 3 School Close Thorpe Thewles

- Flats do not have designated car parking
- Does not appear to have any car charging stations which will surely be needed in the near future. Solar panels should be incorporated
- Wynyard requires a GP practise

PLANNING POLICY

30. 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.
31. 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

32. 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.
33. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;
- approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Local Planning Policy

34. 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:

- a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (as identified on the Policies Map) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include: Queens Park North, Victoria Estate, Tees Marshalling Yard and Land off Grangefield Road
- 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.
- c. Creating a Sustainable Urban Extension to West Stockton.
- d. Promoting major new residential development at Wynyard leading to the area becoming a sustainable settlement containing general market housing and areas of executive housing in a high-quality environment.

- e. Supporting residential development in villages (as shown on the Policies Map) through the recognition of existing commitments and new build within the limits to development where the land is not allocated for another purpose.

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.
- 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 6 (SD6) - Transport and Infrastructure Strategy

1. To provide realistic alternatives to the private car, the Council will work with partners to deliver a sustainable transport network. This will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users, and to local services, facilities and local amenities.

2. To ensure the road network is safe and there are reliable journey times, the Council will prioritise and deliver targeted improvements at key points on the local road network and work in conjunction with Highways England to deliver improvements at priority strategic locations on the strategic road network.

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.

3. Where the economic viability of a new development is such that it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it, applicants will need to provide robust evidence of the viability of the proposal to demonstrate this. In these circumstances, the Council may:

- a. Enter negotiations with the applicant over a suitable contribution towards the infrastructure costs of the proposed development, whilst continuing to enable viable and sustainable development; and/orb. Consider alternative phasing, through the development period, of any contributions where to do so would sufficiently improve the economic viability of the scheme to enable payment.

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.

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.
- 3. Site specific flood risk assessments will be required in accordance with national policy.
- 4. All development proposals will be designed to ensure that:
 - a. Opportunities are taken to mitigate the risk of flooding elsewhere;
 - b. Foul and surface water flows are separated;
 - c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and
 - d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.
- 5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:
 - a. To an infiltration or soak away system; then,
 - b. To a watercourse open or closed; then,
 - c. To a sewer.
- 6. Disposal to combined sewers should be the last resort once all other methods have been explored.
- 7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.
- 9. Sustainable Drainage Systems (SuDS) should be provided on major development (residential development comprising 10 dwellings or more and other equivalent commercial development) unless demonstrated to be inappropriate. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance.

10. Through partnership working the Council will work to achieve the goals of the Stockton-on-Tees Local Flood Risk Management Strategy and the Northumbria Catchment Flood Management Plan. This will include the implementation of schemes to reduce the risk of flooding to existing properties and infrastructure. Proposals which seek to mitigate flooding, create natural flood plains or seek to enhance and/or expand flood plains in appropriate locations will be permitted.

Natural, Built and Historic Environment Policy 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.

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 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

1. Through partnership working, the Council will protect and support the enhancement, creation and management of all green infrastructure to improve its quality, value, multi-functionality and accessibility in accordance with the Stockton-on-Tees Green Infrastructure Strategy and Delivery Plan.

2. Where appropriate, development proposals will be required to make contributions towards green infrastructure having regard to standards and guidance provided within the Open Space, Recreation and Landscaping SPD or any successor. Green infrastructure should be integrated, where practicable, into new developments. This includes new hard and soft landscaping, and

other types of green infrastructure. Proposals should illustrate how the proposed development will be satisfactorily integrated into the surrounding area in a manner appropriate to the surrounding townscape and landscape setting and enhances the wider green infrastructure network.

3. The Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. The loss of open space as shown on the Policies Map, and any amenity open space, will not be supported unless:

- a. it has been demonstrated to be surplus to requirements; or
- b. the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c. the proposal is for another sports or recreational provision, the needs for which, clearly outweigh the loss; or
- d. the proposal is ancillary to the use of the open space; and
- e. in all cases there would be no significant harm to the character and appearance of the area or nature conservation interests.

5. Development proposals will be expected to demonstrate that they avoid the 'best and most versatile' agricultural land unless the benefits of the proposal outweigh the need to protect such land for agricultural purposes. Where significant development of agricultural land is demonstrated to be necessary, proposals will be expected to demonstrate that they have sought to use areas of lower quality land in preference to that of a higher quality.

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.

2. Development that may be sensitive to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive developments or areas unless satisfactory mitigation measures can be demonstrated.

3. Where development has the potential to lead to significant pollution either individually or cumulatively, proposals should be accompanied by a full and detailed assessment of the likely impacts. Development will not be permitted when it is considered that unacceptable effects will be imposed on human health, or the environment, taking into account the cumulative effects of other proposed or existing sources of pollution in the vicinity. Development will only be approved where suitable mitigation can be achieved that would bring pollution within acceptable levels.

4. Where future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must demonstrate via site investigation/assessment that:

- a. Any issues will be satisfactorily addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health and the environment; and
- b. Demonstrate that development will not cause the site or the surrounding environment to become contaminated and/or unstable.

5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River

Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.

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).

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.

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

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

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

9. To ensure that homes provide quality living environments for residents both now and in the future and to help deliver sustainable communities, from the 1st April 2019 the following Optional Standards will apply, subject to consideration of site suitability, the feasibility of meeting the standards (taking into account the size, location and type of dwellings proposed) and site viability:

- a. 50% of new homes to meet Building Regulation M4 (2) "Category 2 - accessible and adaptable dwellings".
- b. 8% of new dwellings to meet Building Regulation M4(3) "Category 3 - Wheelchair User Dwellings". Where the local authority is responsible for allocating or nominating a person to live in that dwelling, homes should meet building regulation M4 (3) (2) (b). When providing for wheelchair user housing, early discussion with the Council is required to obtain the most up-to-date information on specific need in the local area.

Policy H3 - Wynyard Sustainable Settlement

Proposals for the growth of Wynyard Village (south of the A689) and Wynyard Park (North of the A689) will be coordinated to deliver a sustainable settlement. Proposals for development should:

1. Deliver approximately 1,644 new dwellings within Stockton-on-Tees Borough, with 544 dwellings at Wynyard Village (Policy H1.2.W1 and H1.2.W2) and approximately 1,100 dwellings (Policy H1.7) on Wynyard Park.
2. Provide education facilities, including the delivery of a primary school within Wynyard Village.
3. Provide community infrastructure of an appropriate scale to meet the day to day needs of Wynyard residents.
4. Deliver the following highway junction improvements:
 - a. Signalisation of roundabout junctions on the A689 at Wynyard Avenue; The Wynd/Hanzard Drive; and The Wynd/The Meadows, to deliver sites with planning permission as identified in H3.1.
 - b. Works to the A689/A19 interchange which are required for the development of the remaining allocated land at Wynyard Park (Policy H1.7).
5. Provide a range of homes in accordance with Policy H4, with the exception of:
 - a. Wynyard Village (Policy H1.2.W1) which will provide an executive housing offer, with off_site affordable housing.
 - b. Wellington Drive (Policy H1.2.W2) which will provide executive housing in a low density setting, with off-site affordable housing, as well as opportunities for enhancement of the associated golf course and delivery of a five star hotel.
6. Provide green infrastructure and open space in accordance with ENV6.
7. Identify a clearly defined street hierarchy and accessible, convenient and safe routes for pedestrians, cyclists and other uses, this will include:
 - a. The provision of routes for pedestrian and cycle movement within the Wynyard area, including the pedestrian and cycleway bridge over the A689 along the route safeguarded within Policy T1.
 - b. Improved linkages to the conurbation, including a pedestrian and cycleway along the existing public rights of way to Wynyard Road along the route safeguarded within Policy T1.
 - c. Improved linkages to the Castle Eden Walkway and Wynyard Woodland Park.
 - d. Where appropriate, connections to development located within Hartlepool Borough.
8. Utilise Design Codes detailing important design elements for the development to ensure a consistent approach to quality standards.
9. Avoid unacceptable harm to and maximise possible enhancements to the significance of heritage assets. Development must be designed to ensure that the significance of Wynyard Park Registered Park and Garden and other heritage assets is not harmed and where possible enhanced.
10. Recognise and respect the unique character of Wynyard Village which is defined by its layout, leisure offer and low density executive housing.
11. Create a community at Wynyard Park with its own identity and sense of place which responds appropriately to local patterns of development and green infrastructure.

Development of allocated land at Wynyard Park, and any significant further growth in housing numbers on planning commitments, must be implemented in a coordinated and timely manner in accordance with an Infrastructure Phasing and Delivery schedule as part of a masterplan for the Wynyard area. The following approach will be taken to the delivery of infrastructure:

12. Where required, contributions towards the shared infrastructure required to deliver a sustainable community at Wynyard Park (Policy H1.7) shall be made on a proportionate basis per home taking in to account further residential growth in Hartlepool Borough.

13. The Council will work proactively with developers to identify and agree reasonable triggers for the delivery of key infrastructure which allows development to progress whilst the impact of the development is appropriately mitigated.

Transport and Infrastructure Policy 1 (TI1) - Transport Infrastructure

Delivering A Sustainable Transport Network

1. To support economic growth and provide realistic alternatives to the private car, the Council will work with partners to deliver an accessible and sustainable transport network. This will be achieved through improvements to the public transport network and routes for pedestrians, cyclists and other users.

4. Sites and routes which will play a role in developing infrastructure to widen transport choice will be safeguarded from development which would impact negatively on their delivery or attractiveness to potential users; routes include:

- e. Cycleway/footbridge across the A689 (via a bridge) to connect with the wider cycleway network at Wynyard Road; and

Highways Infrastructure

6. To support economic growth, it is essential that the road network is safe and that journey times are reliable. The Council will seek to provide an efficient and extensive transport network which enables services and facilities to be accessible to all, accommodate the efficient delivery of goods and supplies, whilst also minimising congestion and the environmental impact of transport.

7. Targeted improvements will be delivered at the following priority locations (routes are safeguarded where identified):

- a. Strategic road network:
 - i. A66 (including A66 Elton Interchange);
 - ii. A19 Widening Norton to A689 (route safeguarded);
 - iii. A19/A689 Interchange; and
 - iv. A19/A67 Interchange (Crathorne).

New Development

10. Existing sustainable transport and public transport infrastructure will be protected from development which would impair its function or attractiveness to users.

11. To assist consideration of transport impacts, improve accessibility and safety for all modes of travel associated with development proposals, the Council will require, as appropriate, a Transport Statement or Transport Assessment and a Travel Plan.

12. The Council and its partners will seek to ensure that all new development, where appropriate, which generate significant movements are located where the need to travel can be minimised, where practical gives priority to pedestrian and cycle movements, provides access to high quality public transport facilities and offers prospective residents and/or users with genuine sustainable transport options. This will be achieved by seeking to ensure that:

- a. Transport choices are widened and the use of sustainable transport modes are maximised. New developments provide access to existing sustainable and public transport networks and hubs. Where appropriate, networks are extended and new hubs created. When considering how best to serve new developments, measures make best use of capacity on existing bus services before proposing new services and consideration is given to increasing the frequency of existing services or providing feeder services within the main network.
- b. Suitable access is provided for all people, including those with disabilities, to all modes of transport.
- c. Sufficient accessible, and convenient operational and non-operational parking for vehicles and cycles is provided, and where practicable, incorporates facilities for charging plug-in and other ultra-low emission vehicles. Any new or revised parking provision is of sufficient size and of a layout to facilitate its safe and efficient operation.
- d. Appropriate infrastructure is provided which supports Travel Demand Management to reduce travel by the private car and incentivises the use of sustainable transport options.
- e. New development incorporates safe and secure layouts which minimises conflict between traffic, cyclists or pedestrians.

13. The Council's approach to transport infrastructure provision is set out in Policy SD7.

Transport and Infrastructure Policy 3 (TI3) - Communications Infrastructure

1. The Council supports the expansion of communications networks, including telecommunications and high speed broadband; especially where this addresses gaps in coverage.

7. Developers should demonstrate how proposals for new homes, employment or main town centre uses will contribute to and be compatible with local fibre and internet connectivity.

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.

MATERIAL PLANNING CONSIDERATIONS

35. The main planning considerations of this application are; establishing the principle, the impacts on the amenity of the surrounding occupiers, character of the surrounding area, heritage assets highway safety, ecology and flood risk.

Principle

36. The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and in particular those for achieving sustainable development. The three dimensions of sustainable development are economic, social and environmental. The NPPF

also includes a number of core planning principles one of which is the need to identify and meet housing needs as well as respond positively to wider opportunities for growth.

37. As set out in policies H1 and H3 the Wynyard forms a significant proportion of the Councils identified 5 year housing supply, with the allocated land of which this site forms part of. Along with housing delivery of the WSUE, Wynyard is one of the key strategic sites for housing delivery under the current local plan and is one which remains highly important to maintaining a five-year supply of housing land.
38. As set out above the site is identified within the 2019 Wynyard Masterplan as a Local Centre. Policy H3(5) seeks to, with exceptions, secure a range of homes in accordance with Policy H4. The principal therefore of flatted development, which seek to maximise efficient use of land, is therefore considered acceptable.

Masterplan

39. The site is identified within the Masterplan as a local centre with the remainder of the local centre being to the north west within Hartlepool's boundary, although as yet no application has been forthcoming for this site.
40. Chapter 4 of the Masterplan seeks to support the principle of convenience and community facilities within the defined local centres such as this site within Wynyard Park. The Masterplan seeks to secure delivery of a large local centre, that meets the needs residents across Wynyard Park, which also provides facilities for the whole of Wynyard settlement as well as the opportunity for future expansion land.
41. The Masterplan goes on to consider the range of facilities which will be permitted within the local centres these include, but not exclusively, retail, hot food takeaways as an ancillary element of any centre, small scale health and fitness opportunities and must ensure flexibility for future growth to accommodate changes in shopping habits.
42. Subject to the necessary controls it is considered that, that the proposed development would largely be in accordance with Policy H3 and the Wynyard Masterplan. The principle of development is considered to be acceptable.

Affordable housing

43. Policy H4 sets out the council's approach to affordable housing with the Councils' requirement to provide 20% of new homes to be affordable on sites of this scale and the presumption that affordable housing will be provided on site as part of an integrated within housing development to deliver balanced communities and this provision should be distributed across sites in small clusters of dwellings.
44. Due to the development consisting of apartment the Councils Strategic Housing Manger has sought an of site contribution. It is considered such an approach, given the constrained nature of the development would be acceptable.

Education Provision

45. The concerns raised from residents about the requirement of Wynyard to have its own Secondary School and additional primary school are noted. However, whilst at the time of writing no written representation have been received from the Councils School Place Planning Officer, on recent applications they have confirmed that following a review of the current capacity within primary and secondary schools, it is at this present time considered that there is no need. However, the Councils standard methodology has been applied with the less discounted surplus places at an agreed trigger point.

46. Notwithstanding this, The Masterplan recognises at some point a secondary school maybe required and would assist in the creating a more sustainable settlement. The Master Plan identifies potential locations for a secondary school.

Sustainability

47. The application site lies within the limits to development where development should generally be directed and given the location of the site adjacent to the urban area which has relatively accessible transport and footpath links, the site itself could be considered sustainable.
48. Concerns have been raised regarding the impact of the scheme on local infrastructure and comments from NHS England are noted and suggest that they would be unable to guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers. No direct evidence has been put forward to state the services at present cannot cope with the development, and therefore it is considered that this in itself would not warrant refusal of the application and should it be considered necessary appropriate contributions can be sought through a Section 106 agreement.
49. Concerns have also been raised over the scale of the development and questions have been raised over whether it is required given the existence of existing convenience stores within a 5-minute drive time. However, as the letters of support have to a degree indicated, some residents feel such a distance and through the nature of the highways network, does not afford them with a sustainable facility which they are able to walk to.
50. The Wynyard Masterplan identified that as Wynyard grows further retail development is required, and as part of the 2019 Masterplan this site was identified as meeting the needs of the local catchment. The Masterplan goes on to suggest that to ensure most efficient use of land upper floors should also be considered. The principle of the local centre is therefore considered to be acceptable. The scale of commercial units which extends to approximately 1,352 square metres of floor space, it is not considered to be disproportionate and is reflective of the wider needs of the settlement and represents effective use of land.
51. It is considered that the site is a sustainable development and the presumption in the NPPF that planning should operate to encourage and not act as an impediment to sustainable growth must be applied. Significant weight is required to be placed on the need to support economic growth through the planning system.

Economic/Social Benefits

52. It is recognised that a benefit of the proposed development would boost the boroughs 5 year housing land supply providing both social and economic benefits. Furthermore, the development would provide a number of jobs in the construction industry and supply chain in the short term and such benefits are consistent with the NPPF. As well as the long term employment within the commercial units.
53. Through a section 106 the application would assist in the delivery of the provision of public open space and would contribute to existing infrastructure, NHS and affordable housing.
54. The site is within the limits of development. As set out above, there is no policy reason for refusal of the principle of development, the Wynyard Masterplan seek to support the principle of additional dwellings and provision of a local centre. The principle of development is therefore accepted.

Highway Considerations

55. The Councils Highways Engineers have reviewed the proposed development, including the submitted Transport Statement and Masterplan and consider that the proposals are broadly in line with the approved Wynyard Masterplan, which has been adopted by both Hartlepool and

Stockton Borough Councils. The revised drawing takes account of the proposed re-alignment of Hanzard Drive and the provision of a new roundabout, which will be located circa 100m to the north west of the site access, at the junction of Hanzard Drive and Bloomfield Drive.

56. As set out in the TS the proposed development, in relation to the retail element, is unlikely to generate a significant level of new traffic with most trips associated with the proposals being either 'transferred' or 'pass-by' trips which are already on the wider highways network. As such it is not considered that the proposals, in the context of the NPPF, would result in a severe impact on the local highways network.
57. The site would be accessed from Hanzard Drive / Bloomfield Drive via a simple priority T junction. The capacity of the proposed junction has been assessed, within the TS, and it would operate within theoretical capacity. The proposed junction arrangement is therefore considered to be acceptable.
58. As indicated on the revised site plan a total of 90 parking spaces will be provided, to serve both the retail and residential elements of the proposals, which is broadly in accordance with the requirements set out in SPD3: Parking Provision for Developments 2011. Included are 5 disabled bays that accords with the standards and electric vehicle charging points are also indicated. The proposed car parking provision is therefore considered to be acceptable, subject to the EV charging points being conditioned. Swept path analysis is provided for a refuse vehicle and the drawing indicates that no HGVs will be used for delivery purposes to the retail units. A Servicing Plan should therefore be provided in order to address timings and vehicle movements associated with these deliveries. This should be conditioned to be provided and to be in perpetuity given the mixed use with residential areas. Therefor there are no objection raised on highway grounds.
59. National Highways have, on the basis of the limited scale of the development and the likely anticipated trip generation not having a significant impact on the strategic highway network have removed the holding direction and have raised no objection.

Landscape and Appearance

60. The National Planning Policy Framework para. 130 requires that developments should not only maintain a strong sense of place but should improve the quality of the area. Developments should also be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
61. The submitted Design and Access Statement set out the ethos behind their design approach; 'The primary objective was to create a local village centre which fits comfortably within the residential and commercial surroundings. This was achieved by creating visual links using scale and materials adopted throughout the area. The scale of the proposed development has been designed to reflect the existing neighbouring buildings heights. Orientation was also a key factor to achieve a frontage which could be seen from the main thoroughfare...The general feel and appearance of the development takes influence from local market towns which have continued to be popular destinations for shopping and leisure. Much of which is down to the provision for small scale independent businesses offering something a little different. The design and feel of the development is based largely on principles adopted by local conservation areas to create an environment free from overly commercialised low quality retail and businesses'.
62. The overall design of the development is considered to pick up design cues from the areas conservation areas which includes the varying roof height, prominent design feature such as on unit one and fenestration and shop front treatments. Overall the appearance of the development is considered to be in keeping with the existing residential dwellings and wider development within Wynyard, subject to the recommended conditions.

63. Concern has been raised from residents that the proposed development would result in a loss of a much valued open space. The site is not designated as public open space and is therefore is not afforded any policy protection against policy ENV6. However, as set out above the site is identified within the Masterplan as a local centre. An of site contribution is requested in relation to the provision of formalised open plan within Wynyard. With respect of the proposed scale of the built form, the development would consist of three separate blocks which include two and three storeys. Given the presence of the existing large scale industrial units and office development which already exist to the east, south and south west of the site, it is not considered that when viewed from the wider street scene the incorporation of three storey units on the site would result in an incongruous form of development.
64. As has been observed by some of the objectors the site would have a large expanse of hard surfacing fronting Hanzard Drive, which is required provide the 90 car parking spaces. However, through the application consideration has been given the requirement to balance the visual impacts of the proposed car parking and highway safety. As part of the planning process a more detailed and improved landscape masterplan for the site, which has given greater consideration to the constraints of the site and issues raised regarding the feasibility of the proposals has been received. It is considered that following receipt of the masterplan and subject to the recommended conditions in relation to both soft and hard landscaping, boundary treatments and illumination the proposed development would strike a balance between visual impact and highway safety.

Impact on amenity of surrounding residents

65. A fundamental consideration throughout the planning process has been to consider the impact of the proposed development on the occupier's amenity of those properties to the north of the application site along Applecross Grove. Due to the topography of the area the site is at an elevated position to these residential properties.
66. The original development as proposed the whole of unit 1 to be three storeys. Following concerns raised from officers and residents over the impact of the scale and massing of the unit on the amenity of current and future occupiers of the existing residential properties. Consequently, a revised scheme was submitted which, with the exception of the gable front, reduced the remainder of unit 1 to two storey.
67. Unit 1 retains the frontage at three storey. However, the blank gable end which would front the front amenity space of No.1 Applecross Grove, due to the orientation and separation of approximate 27m even accounting for the change in ground levels, it is not considered that this element would result in a significant adverse impact on current and future occupiers with regards to loss of light, overbearing presence, outlook or privacy as to sustain reason for refusal. No.1 Apple cross has no principal windows on the side elevation fronting the site, therefore no window-to-window relationship would occur. The orientation would mean that the two storey element of unit 1 would principally be directed to the side elevation of no.1 and the front amenity space. Due to the separation being a minimum of 22 metres, even with consideration of the change in levels in accordance with the SPD, it is not considered that the proposed development would a significant adverse impact on the occupiers.
68. A number of the first floor windows on unit 2 would be orientated towards the rear amenity spaces of no.1 and no.15 Applecross Grove and the side elevation of no.15, which again does not feature any principal windows. The separation would be approximately 15.6m. The householder SPD sets out that were there is a window to blank elevation the separation needs to be 11m although for every 1m change in ground level this needs to be increased by 3m. The proposed development would fall short of this by approximately 2m. This is however only guidance, and each site has to be considered on its own merits. In considering the orientation of unit 2 which is off set from the boundary as not to directly front the rear amenity spaces and

it would only be two windows fronting the rear amenity space the rest would be fronting the side elevation it is not considered that this shortfall of approximately 2 metres would have a demonstrable impact.

69. The first floor windows of unit 3 would front the shared surface of Applecross Grove between no.15 and no.16. Whilst the development would be visible from the public vantage points it is not considered that due to the set back and existing built form within the context of the area that the prominence of the development within the street scene would not have a detrimental impact on the occupiers of the adjacent residential properties, subject to appropriate treatment of the service yard and boundary treatments
70. With regards to unit 4, the rear (north) elevation, would feature conservation style roof lights, it would have no windows on either ground floor or first floor and with an eave height of approximately 5.4m and a ridge height of approximately 8.5m it is not considered that this unit would result in a loss of privacy or a serve loss of light or overbearing even with the levels on the rear amenity space of no.16 as to sustain a reason for refusal. Due to the easement, which forms the northern boundary there is limited scope for planting to aid in screening of the development.
71. A revised sun path was submitted following the part removal of the third storey on unit 1. Based on the submitted sun path it is considered that the proposed development would not have a demonstrable impact, over and above the existing in summer months. However, in the winter months the properties closest to the development will, notwithstanding the reduction in height, be in full shade for parts of the day. Although, it is acknowledged that use of external areas will be reduced during this period. On balance it is therefore not considered that the impact over the winter months would be so server as to warrant refusal of the application
72. As considered below careful controls need to be in place to ensure that the operations, boundary treatments to safeguard the existing occupier's amenity with regards to operation of the site once the commercial units are occupiers. The submitted noise report identifies the potential conflict with the delivery area and the closest residential receptors adjacent to the northern boundary of the site. As mitigation they are proposing to screen the delivery area with a 3.0m close boarded fence would achieve an acceptable internal and external noise environment. To soften the visual impact planting is proposed to grow up the wall and the length reduced to the key areas of the development.
73. Whilst it is not an unusual arrangement to have flats above commercial units consideration must also be given to the future occupiers of the proposed residential units within the Site. In general, the proposed development is broadly in accordance with the SPG and has been designed so habitable rooms are appropriately arranged both between floors and in relation to the adjacent flats.
74. The internal arrangement of Units 1,2 and 3 means that there are principal windows which look over the service yard and residential properties to the north and over the site to the west (car park) and south (car park). However, no window-to-window relationship would occur due to the orientation of the properties on Applecross Grove. The privacy of the occupiers of the flats would therefore largely be safeguarded
75. The apartment within unit 5 has been designed so as to have non habitual rooms fronting the industrial units to the east of the site boundary. The only windows would serve bathrooms and hallways. Unit 6 would overlook the car parking of the existing industrial units. Any future occupier would be aware of the outlook at the time of occupation. As considered below, subject to the recommended conditions, it is not considered that the future occupiers would have a significant adverse relationship with either the commercial units within the site boundary or those on the periphery as to sustain a reason for refusal.

76. The revised site layout plan stipulates that the site would not be serviced by heavy goods vehicles (HGVs). However, to secure this a service plan has been requested from the developer. At the time of writing this has not been received, it is anticipated that this would be circulated ahead of the committee meeting.
77. Following comments from the councils environmental health units and given the nature of a mixed residential and commercial units, along with the consideration of the existing residential and commercial uses surrounding the site a number of conditions are required in relation to noise, odour, servicing, refuse, management both during construction and once the site is operation and opening hours. Subject to the appropriately worded conditions which have been recommended to safeguard the amenity of the existing and future occupiers' amenity it is not considered that the proposed development would have a significant adverse impact contrary to paragraphs 130, 185 and 187 of the NPPF and the Policy SD8 of the Local Plan as to sustain a reason for refusal.

Drainage

78. A flood risk assessment and drainage strategy accompany the application. Subject to the recommended conditions, there is no objection from either the Lead Local Flood Authority or Northumbria Water. At the time of writing no written representations had been received from the Environment Agency.

Ecology

79. The site is considered to be of overall low ecological value. It offers a limited amount of habitat for certain wildlife, including reptiles, amphibians, certain bird species, and hedgehogs, but is largely separated from wider areas of suitable wildlife habitat, and no evidence of protected or notable species was recorded during the survey. Following the site assessment and in review of the findings, a series of ecological mitigation and enhancement measures are considered to be required to be incorporated into the development. These include a pre-start survey to ensure the absence of any active badger setts; precautionary site clearance in relation to reptiles, common toads, and hedgehogs; commencing site clearance outside of bird nesting season, or carrying out a pre-start survey to ensure the absence of any active nests; adequate protection of vegetation to be retained; implementation of a sensitive lighting scheme; provision of bird nesting and bat roosting features into the new development; and incorporation of native and/or wildlife-friendly soft landscaping.
80. Subject to the recommended conditions it is not considered that the proposed development would result in an adverse impact on any protected species or their habitat.

Heritage

81. Tees Archaeology have confirmed that the area has been subject of extensive archaeological works and no further works are requires. Nor are any conditions required.

Contaminated Land

82. Subject to the recommended conditions the Environmental Health Unit have raised no objection to the proposed development.

Residual Matters

Low Carbon

83. The application has been supported by an Energy Statement which concludes that design team propose to investigate Ground and Air Source Heat Pumps with Photovoltaics in secondary roof locations. Ventilation could be supplied through a Mechanical Ventilation Heat Recovery system, ensuring a pleasantly conditioned indoor environment whilst maintaining a high level of energy efficiency. The M&E design has not been finalised, however a combination

of high performance building fabric along with orientation /solar gains and the possible introduction of renewable energy will all help in producing a development achieving high standards of sustainability in carbon emissions, energy consumption and water efficiency.

84. Subject to a condition requiring the submission of the final specification it is considered that the proposed development would largely comply with the requirements of Local Plan Policy ENV1.
85. Concerns raised from the neighbour consultee responses are noted. The revised site layout plan includes both electrical charging points and cycle racks. Such provision is considered to be acceptable, and the Highways Transport and Design Manager has raised no objection to the proposed development.

Infrastructure

86. In line with Transport and Infrastructure Policy 3 (TI3) - Communications Infrastructure, the Council supports the expansion of communications networks, including ensuring the new dwellings are suitably connected to internet services. A standard condition in this respect can therefore be applied.

Crime and Anti-social Behaviour:

87. Under the provisions of Section 17 of the Crime and Disorder Act, the planning system and the Local Planning Authority must do all that it reasonably can to prevent, crime and disorder in its area. Whilst the concerns of local residents are noted, there is no firm evidence before the Local Planning Authority which would indicate that this proposal would give rise to crime or anti-social behaviour. The proposed development is considered to have a good degree of natural surveillance from a number of areas and is considered to be in broad accordance with the principle of secure by design. Should any anti-social behaviour issues arise then this would be a matter for the appropriate authorities, such as the Police and not the planning system. The police were consulted however at the time of writing no written representation had been received.

Neighbour comments

88. Concerns with regards to a potential "mis-selling" and being informed of a smaller scale development are noted but would rest with the housing developer and are not a matter for the Local Planning Authority. However, the neighbouring premises have been informed of this application and this application is judged on its individual planning merits. Although a number of residents make reference to a loss of property value, this is not a material planning consideration and carries no weight in the determination of this application.
89. Concerns over increased vermin are acknowledged and appropriately worded condition in relation to refugee storage has been recommended.

CONCLUSION

90. The principle of the development has been accepted. The proposed development is also considered to be visually acceptable and with not have any significant adverse impacts on the amenity of the neighbouring occupiers to justify a refusal of the application. The proposed access and parking arrangements are also considered to be acceptable and consequently the proposed development is recommended for approval subject to those conditions detailed within the report.
91. It is therefore 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 **Northern Parishes**
Ward Councillor **Councillor John Gardner**

IMPLICATIONS

IMPLICATIONS

Financial Implications: The application is subject to S.106 contributions

Environmental Implications: The proposal relates to 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. The development is not considered to be EIA development.

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.