

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE  
5 MARCH 2025  
REPORT OF ASSISTANT DIRECTOR OF  
INCLUSIVE GROWTH AND DEVELOPMENT**

**21/1599/REM**

**Tithebarns Fields, Land West of Harrowgate Lane, Stockton-on-Tees  
Reserved matters application for the appearance, landscaping, layout and scale for  
residential development comprising 110 dwellings for phase 4 and 5.**

**Expiry Date: 16 September 2021  
Extension of Time Date: 31 March 2025**

**SUMMARY**

The application site, hereby referred to as the Site, is located to the western edge of Harrowgate Lane, its 13.41 ha form somewhat of an 'L' shape. It is referred to as Zone C within the West Stockton Sustainable Urban Extension.

This application is seeking reserved matters for the appearance, landscaping, layout and scale for residential development comprising 110 dwellings for phases 4 and 5.

The application site forms part of the West Stockton Strategic Urban Extension which is a key housing growth area within the adopted Local Plan. The principle of housing on the site has already been accepted and established within the adopted Local Plan. Whilst this application would increase the proportionate share of this site deliverability, there are no material considerations as to which resist the increase in the number of units this site would deliver. With regards to the detail, the proposed appearance, scale and layout of the development is considered to be acceptable, and the development is of a form which means that it is one which can be accommodated without any technical implications, with special regard to highway capacity.

At the time of writing there are still outstanding consultations with Natural England regarding Nutrient Neutrality.

This application has received three letters of objections from members of the public. Whilst this application, could technically be determined under delegated powers in line with the Councils Scheme of Delegation, it has been brought to Members due to the requirement of application ref 21/0249/REM to be determined by Members of the Planning Committee. Due to the integrated nature of all applications for this site, in the interest of completeness this application is being presented alongside applications 21/0249/REM, 21/2130/FUL and 24/0336/VARY.

In view of the fact that the proposal is acceptable in planning terms (subject to the outstanding consultation) the application is put before members to consider the agreement to the principle of the development with decision being delegated to the Planning Services Manager

That members be minded to approve planning application 21/1599/REM with the decision being delegated to the Planning Services Manager subject to final confirmation of conditions and informatives below;

**RECOMMENDATION**

**That members be minded to approve planning application 21/1599/REM with the decision being delegated to the Planning Services Manager subject to final confirmation of conditions and informatives detailed below;**

**Approved Plans**

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

Plan Reference Number	Date Received
500-005	22 April 2024
504-006	22 April 2024
505-006	22 April 2024
510-002	22 April 2024
510-003	22 April 2024
510-004	22 April 2024
ASK/END/0-001 REV A	22 April 2024
ASK/END/0-002 REV A	22 April 2024
ASK/MID/0-001 REV A	22 April 2024
ASK/MID/0-002 REV A	22 April 2024
B3/0-001 REV A	22 April 2024
B3/0-002 REV A	22 April 2024
B3/END/0-001 REV A	22 April 2024
B3/END/0-002 REV A	22 April 2024
BAI/0-001 REV A	22 April 2024
BAI/0-001 REV A	22 April 2024
BAI/0-002 REV A	22 April 2024
BAI/0-002 REV A	22 April 2024
CAD/0-001 REV A	22 April 2024
CAD/0-002 REV A	22 April 2024
DAL/0-001 REV A	22 April 2024
DAL/0-002 REV A	22 April 2024
E2.1/END/0-001.5 REV A	22 April 2024
E2.1/MID/0-001.5 REV A	22 April 2024
E2.1/MID/0-002.5 REV A	22 April 2024
E2.1/MID/0-002.5 REV A	22 April 2024
EAS/END/0-001.5 REV A	22 April 2024
EAS/END/0-002.5 REV A	22 April 2024
EAS/MID/0-001.5 REV A	22 April 2024
EAS/MID/0-002.5 REV A	22 April 2024
FER/END/0-001 REV B	8 November 2024
FER/END/0-002 REV A	8 November 2024
HOR/0-001 REV A	22 April 2024
HOR/0-002 REV A	22 April 2024
LEY/DET/0-001 REV A	22 April 2024
LEY/DET/0-002 REV A	22 April 2024
OAK/0-001 REV A	22 April 2024
OAK/0-002 REV A	22 April 2024
RIP/END/0-001.5 REV A	22 April 2024
RIP/END/0-001.5 REV A	22 April 2024
RIP/END/0-002.5 REV A	22 April 2024
SAL/END/0-001.5 A	22 April 2024
SAL/END/0-001.5 A	22 April 2024
SAL/END/0-002.5 REV A	22 April 2024

SAL/END/0-002.5 REV A	22 April 2024
SAL/MID/0-001.5 A	22 April 2024
SAL/MID/0-002.2 REV A	22 April 2024
WEN/0-001 A	22 April 2024
WEN/0-002 A	22 April 2024
5205 - 102 A	8 November 2024
5205 – 200 Rev C	21 January 2025
5205 - 202	21 January 2025
5205 - 252	21 January 2025
5205 - NE - 460 REV B	5 February 2025

Reason: To define the consent.

### **NWL Drainage**

- 02 Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "DRAINAGE STRATEGY and SUDS REPORT" dated "25/02/2021". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 2601 and ensure that surface water discharges to the surface water sewer at manhole 1601. The surface water discharge rate shall not exceed the available capacity of 23 l/sec. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

### **Walkover Survey**

- 03 A maximum of three months before works commencing on site for each phase of development a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted to and approved in writing by the Local Planning Authority and any identified additional or revised mitigation measures required shall be implemented wholly in accordance with the approved details prior to the commencement of the respective phase.

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

### **Mitigation Measures**

- 04 In addition to the requirement of Condition 12 of 14/2291/EIS during the construction processes, a minimum of 70 bespoke nesting cavities for other Red Category Species like Swift, House Sparrow and bats should be incorporated into the development on the gable ends at an elevated position.

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

### **Bat Check**

- 05 Prior to the felling of any trees a Climb and Inspect Assessment shall be carried out by a qualified Ecologist in conjunction with the qualified Arboriculturist to check for cavities and inspection with an endoscope or mirrors if appropriate. Works to the trees should not commence until the Inspection Report has been submitted to and agreed in writing by the Local Planning Authority. The works should then be carried out in complete conformity of the report. If any evidence of bat roosts are found works should cease immediately and a Natural England License sought.

Reason: In the interest of safeguarding a European Protected Species and their habitat in accordance with the Habitat Regulations and in accordance with Local Plan Policy ENV5 and the NPPF.

### **Biodiversity Enhancement and Management Plan (BEMP)**

06 Notwithstanding the proposals detailed in the respective reports, prior to the commencement of the development hereby permitted the developer shall submit to and have approved in writing by the Local Planning Authority a Biodiversity Gain Plan. The Biodiversity Gain Plan must contain, including information about the steps that will be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and the site's pre- and post-development biodiversity value and how these gains will be incorporated within the final landscape plan as required by condition xxx. The agreed works shall be implemented in accordance with the agreed details and be retained thereafter for the lifetime of the development.

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

### **Construction Environment Management Plan**

07 Prior to the commencement of the development hereby approved, a detailed site-specific Construction Environmental Management Plan for each phase is to be submitted and agreed in writing by the Local Planning Authority. This shall include details of all proposed excavations, piling, construction, machinery used (including location) and associated mitigations should be submitted in accordance with BS 5228:1997. This should also include all measures to be undertaken to protect habitats and wildlife during the construction phase of the development identified in the submitted Ecological Impact Assessment. Once approved the CEMP Plan shall be adhered to throughout the construction period.

Reason: In the interests of residential amenity and to protect habitats and wildlife site in accordance with Local Plan Policy ENV5 and the NPPF

### **External Materials**

08 Notwithstanding the submitted details in the application, the external walls and roofs shall not be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the hereby approved dwellings have been approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development in accordance with Local Plan Policy SD8 and NPPF

### **Landscaping Softworks**

09 Notwithstanding the proposals detailed in the Design and Access Statement and submitted plans, no development shall commence until full details of soft landscaping and associated maintenance has been submitted to and been approved in writing by the Local Planning Authority. Those details shall include; 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); a phasing programme for the implementation of landscaping and associate maintenance; details of all existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan.

The soft landscape maintenance details should include details of access routes to demonstrate operations can be undertaken from publicly accessible land, long term design objectives, management responsibilities and maintenance schedules for all landscape

areas/ retained vegetation, other than small privately owned domestic gardens. 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.

All planting works shall be in accordance with the approved plans and details and shall be implemented prior to the first planting season following completion of each identified phase of development. 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.

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity and in accordance with Local Plan Policy SD8 and NPPF

### **Trees within and adjacent to the adopted highway**

- 10 Notwithstanding the proposals detailed in the Design and Access Statement and submitted plans, no development shall be commenced until the Local Planning Authority has approved in writing the details of arrangements for the planting of street trees and protection of the adopted highway from tree root damage. Root barriers will be required where trees are planted within 2m of the adopted highway.

Reason: To protect the adopted highway from damage by tree roots and in accordance with Local Plan Policy SD8 and NPPF

### **Tree Protection**

- 11 The hereby approved development shall be carried out in complete conformity with the submitted Arboricultural Impact Assessment Arboricultural Method Statement Tree Protection Plan as received by the Local Planning Authority on 22 April 2021

Reason: to safeguard the trees within and adjacent to the hereby approved development and in accordance with Local Plan Policy SD8 and NPPF

### **Light Intrusion**

- 12 Prior to the commencement of the development hereby permitted, a scheme for the protection of biodiversity, the proposed dwellings and the neighbouring premises from light intrusion shall be submitted to and approved in writing by the Local Planning Authority. All works, which form a part of such a scheme, shall be completed before any of the permitted dwellings / facilities are occupied. The scheme should detail the type of luminaries and their Lumen levels, locations, means of affixation, heights, angles plus the level of light trespass in lux.

The position of all columns shall be agreed in writing by the Local Planning Authority to avoid conflict with the positions of trees as approved under condition xx.

The lighting shall be implemented wholly in accordance with the agreed scheme prior to the occupation of the development or approved phases.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenity of adjoining residents, amenity of the area and protection of biodiversity on and adjacent to the site and in accordance with Local Plan Policy SD8 and NPPF

### **Enclosure**

- 13 Notwithstanding the proposals detailed in the Design and Access Statement and submitted plans, prior to the above ground construction of development within each relevant phase, details of all means of enclosures shall be submitted to and approved in writing by the Local Planning Authority. This shall include all acoustic barriers, walls, fences, entrance feature walls, hedgerows and kneerails, including those surrounding pumping stations and other infrastructure sites. This shall include the specification for holes in boundary walls and fences at ground level to allow for the movement of hedgehogs. Such means of enclosure shall be implemented in accordance with the approved plan prior to the occupation of the development or approved phases.

Reason: In the interests of biodiversity, the visual amenities of the locality and to protect the residential amenity of future occupiers and in accordance with Local Plan Policy SD8 and NPPF

#### **Bins/refuse**

- 14 Prior to the occupation of each phase of the development hereby approved each plot and commercial facility should be provided with the appropriate means of waste and recycling provision in accordance with the applicable Council standards

Reason: To ensure a satisfactory form of development in accordance with Policy SD8 and NPPF

#### **Open Access**

- 15 Open access ducting to facilitate fibre and internet connectivity shall be provided from the homes to the public highway

Reason: To ensure that infrastructure is provided to facilitate fibre connections to all new development in accordance with Policy TI3 of the Stockton on Tees Local Plan

#### **Removal of PD rights – No Garage Alterations/Conversions**

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles.

Reason: To ensure that the site has adequate parking provision in accordance with the requirements of SPD3 and in accordance with Local Plan Policy SD8 and NPPF

#### **Removal of PD rights – No Boundary Treatments to front of properties.**

- 17 Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) there shall be no walls, fences, railings or other form of boundary enclosures erected between any point taken in line with the properties front elevation and the highway unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent significant undue detrimental loss of privacy and amenity for future occupants taking into account the relationship with existing dwellings and to comply with Policy SD8 the Stockton on Tees Local Plan and paragraph 135 of the NPPF.

#### **Removal of PD Rights – Householder extensions and alterations**

- 18 Notwithstanding the provisions of classes A,AA, B, C, D, E and F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, without the written approval of the Local Planning Authority.

Reason: To prevent significant undue detrimental loss of privacy and amenity for future occupants taking into account the relationship with existing dwellings and to comply with Policy SD8 the Stockton on Tees Local Plan and paragraph 135 of the NPPF

### **Electric Charging Points**

- 19 Notwithstanding the submitted plans, prior to above ground construction a plan shall be submitted to and agreed in writing by the Local Planning Authority detailing the location of all electric charging points in both the residential and commercial areas. The development shall thereafter be built out in accordance with the approved plans.

Reason: To promote sustainable travel in accordance with Local Plan Policy TI1 and NPPF

### **Renewables or Fabric First**

- 20 No above ground development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

Reason: In the interests of promoting sustainable development in accordance with policy ENV1.

### **Contaminated land - Preliminary Risk Assessment**

- 21 Prior to commencement of the development hereby approved a preliminary desk top assessment shall be submitted to and agreed in writing by the Local Planning Authority The Report shall include the following components to deal with the risks associated with contamination of the site;

- A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.
- A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water and land pollution. Government policy also states that planning policies and decisions should

also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

### **Discharge of Surface Water**

- 22 The development hereby approved shall not be commenced on site, until a scheme for 'the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, the scheme shall include but not be restricted to providing the following details;
- I. Detailed design of the surface water management system; (for each phase of the development).
  - II. Detailed overland flow management assessment & Integration with Adoptable Drainage Network
  - III. Finished Floor Levels (FFLs) – Minimum finished floor levels shall be set based on the development's post-construction flood risk profile, including critical water levels arising from the 1 in 100-year event plus 40% climate change allowance, with a suitable freeboard applied.
  - IV. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
  - V. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
  - VI. Details of adoption responsibilities

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the Local Plan Policies SD5 & ENV4 and the National Planning Policy Framework.

### **Watercourse Assessment**

- 23 No development shall commence until a detailed surface water drainage strategy has been submitted to and approved in writing by the Lead Local Flood Authority (LLFA). The strategy shall address the following concerns and provide supporting evidence to ensure the proposed development does not increase flood risk within or beyond the site boundary:
1. Hydraulic Performance of Overland Flow Channels & Culverts – The developer shall provide detailed, site-specific hydraulic modelling of all proposed overland flow channels and culverts
  2. Long-Term Functionality & Erosion Mitigation
  3. Culvert Risk Assessments & Screen Initial Needs Assessment
  4. Impounding Structures & Embankment Design Assessment

Reason: To ensure that the proposed development adequately mitigates flood risk and integrates with the local drainage network in accordance with the National Planning Policy Framework (NPPF), and relevant local policies on flood risk and sustainable drainage.

### **FRM - Discharge of Surface Water**

- 24 The building hereby approved shall not be brought into use until:-
- I. Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said building
  - II. The drawings of all Suds features have been submitted and approved in writing by the Local Planning Authority, the drawings should highlight all site levels, including the 30year and 100year+cc flood levels and confirmation of storage capacity

III. A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development

Reason: To reduce flood risk and ensure satisfactory long-term maintenance are in place for the lifetime of the development.

### **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: Northumbrian Water**

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/>

#### **Informative: Designing out Crime**

The applicant is encouraged to engage with the Policer Architectural Liaison Officer to see how secure by design principles can be incorporated into the scheme

#### **Informative: Northern Gas**

The developer is advised to contact Northern Gas Networks prior to any construction works as there may be apparatus in the vicinity of the development.

#### **Informative: Hydraulic Performance of Overland Flow Channels & Culverts –**

The developer shall provide detailed, site-specific hydraulic modelling of all proposed overland flow channels and culverts. This assessment shall:

- o Include the critical 1 in 100-year flood event plus 40% climate change allowance.
- o Justify the sizing of culverts and flow channels based on accurate cross-sectional survey data rather than idealised sections.
- o Demonstrate that the proposed network will perform effectively under design storm conditions without increasing flood risk elsewhere.

#### **Informative Long-Term Functionality & Erosion Mitigation –**

The applicant shall demonstrate, through hydraulic modelling, that all proposed diversion channels will remain stable over their design life. Where scour of the bed and banks is identified as a potential risk, suitable mitigation measures shall be provided.

#### **Informative Culvert Risk Assessments & Screens –**

Any culvert exceeding 350mm diameter shall be subject to a Public Risk Assessment and a Screen Initial Needs Assessment. If a security or debris screen is deemed necessary, it shall be designed in accordance with CIRIA C786 - The Culvert Screen and Outfall Manual.

#### **Informative Impounding Structures & Embankment Design Assessment –**

Where proposed SuDS features abut any watercourse or drainage channel, the embankment between these features shall be designed as an impounding structure. The developer shall provide full design details, including construction materials, stability calculations, and justification of resilience measures to mitigate the risk of embankment failure.

#### **Informative Site-specific surface water construction management plan**

A site-specific construction management plan must be provided in accordance with Appendix B Section 6 of the CIRIA SuDS Manual before commencing the drainage construction. Detailing how surface water will be managed during construction phase and contained within the site boundary must also include prevention of silts entering existing surface waterbodies, details of measures to be taken to protect and maintain the natural flows of the watercourse/ditches through the proposed site (including the provision of any required temporary drainage). Particular attention should be given to the phasing of the de-culverting works, full construction method statements should be provided.

### **Informative Land Drainage Consents**

Land Drainage Consent/s sites outside the planning process, the LLFA would like to make you aware that no works on the ordinary watercourse are permitted until a Land Drainage Consent approval has been received from the Lead Local Flood Authority. The Land Drainage consent application form and supporting information must be submitted to the LLFA for consideration. The application process will take 8 weeks for determination.

### **Informative Management and Maintenance**

A Maintenance Plan and checklist must be provided in accordance with Appendix B Section 8 of the CIRIA SuDS Manual and the LLFA local requirements. The LLFA requirements are as follows;

- Details of who is responsible for the maintenance and management of all surface water components during construction phase, including contact details, emergency contact details, expected completion date for the development, expected date the management company will commence the maintenance and management of the SuDS.
- Details of the management company responsible for the maintenance

### **BACKGROUND**

1. 14/2291/EIS Application for outline permission for residential development (340 dwellings) including access, this application was, refused December 2014, however permission was subsequently allowed, at appeal June 2016.
2. 21/0250/DCH Information to discharge condition no 6 (design code and phasing program) of planning approval 14/2291/EIS - Application for outline permission for residential development (340 dwellings) including access. Approved February 2025.
3. The following applications are also being presented to members of the Planning Committee and will be considered alongside this application, and are pursuant to the above parent permission
4. 21/0249/REM Reserved matters application for the appearance, landscaping, layout and scale for residential development comprising 230 dwellings for phase 1, 2 and 3.
5. 24/0336/VARY Section 73 application to vary conditions no1 (approved plan) 14/2291/EIS - Application for outline permission for residential development (340 dwellings) including access
6. 21/2130/FUL Application for the erection of 54 dwellings to include access, parking, open space and associated infrastructure

### **SITE AND SURROUNDINGS**

7. The application site, hereby referred to as the Site, is located to the western edge of Harrowgate Lane, its 13.41 ha form somewhat of an 'L' shape. It is referred to as Zone C within the West Stockton Sustainable Urban Extension.
8. The majority of the site is cropped arable land with small areas of semi-improved and improved rough grassland. The site is undulating in nature and has a partially culverted natural watercourse flows under part of the site to join a deeply incised semi natural drainage ditch. This watercourse then flows under the eastern part of the site under Harrowgate Lane where it

flows into Hardwick Dene and Elm Tree Woods Nature Reserve and becomes a tributary of Lustrum Beck.

9. Outwood Academy borders the northern and north eastern boundary. The Site adjoins Zone A to the north, which benefits from planning permission and the western boundary adjoining Zone B and the safeguarded land which also form the southern boundary.

## **PROPOSAL**

10. Reserved Matters permission is sought for the appearance, landscaping, layout and scale erection of 230 dwellings, within the original red line of application ref 14/2291/EIS.

11. The proposal is for a mix of 2, 3 and 4 bedroom properties with a mix of tenures.

	Proposed		Housing		Mix	
	21/0249/REM	Affordable	21/1599/REM	Affordable	21/2130/FUL	Affordable
2 Bedroom	54	8	24	0	16	3
3 Bedroom	122	4	66	0	20	8
4 Bedroom	42	0	20	0	7	0
Total	218	12	110	0	43	11

## **CONSULTATIONS**

12. Consultees were notified and the following comments were received.

### **Highways Transport and Design Manger**

General Summary

The Highways Transport and Design Manger raises no issue with the proposal

Highways comments

A proposed layout drawing 5205 203 REV A, and various house type layouts have been submitted in support of the proposal

The site layout is broadly in accordance with the council's design guide and parking has been provided in accordance with SPD Parking Provision for Development 2011

There are no highways objections to the proposals

### **Flood Risk Management**

The applicant has provided sufficient information to satisfy the Local Lead Flood Authority that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. However, the applicant has not provided a detailed design for the management of surface water runoff from the proposed development and this information should be secured by condition

### **Northern Gas Networks**

No Objection

### **Chief Fire Officer (Cleveland Fire Brigade)**

Cleveland fire Brigade offers no representations regarding the development as proposed.

However Access and Water Supplies should meet the requirements as set out in:

Approved Document B, Volume 1:2019, Section B5 for Dwellings.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1.

It should be confirmed that 'shared driveways' and 'emergency turning head' areas meet the minimum carrying capacity requirements as per ADB Vol 1, Section B5: Table 13.1, and in line with the advice provided regarding the CARP, above.

Further comments may be made through the building regulation consultation process as required.

## NHS

I am writing in response to the above planning application currently being evaluated by you. Please see below for the required contribution to healthcare should the scheme be approved.

Local surgeries are part of CCG wide plans to improve GP access and would be the likely beneficiaries of any S106 funds secured. Local GP Practices are keen to maintain/improve their access, and an increase in patient numbers may require adjustments to existing premises/access methods. Please be advised that we would be unable to guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers.

In calculating developer contributions, we use the Premises Maxima guidance which is available publicly. This assumes a population growth rate of 2.3 people per new dwelling and we link this increase to the nearest practice to the development, for ease of calculation.

We use the NHS Property Service build cost rate of £3,000 per square metre to calculate the total financial requirement.

This reflects the current position based on information known at the time of responding. The NHS reserves the right however to review this if factors change before a final application is approved.

Item	Response
LA Planning References	21/1599/REM
GP Practices affected	The Dovecot Surgery The Densham Surgery
Local intelligence	These practices fall within the Stockton Primary Care Network which is at full capacity with regards to space requirements to deliver services to their patient list size. S106 funding would support creating extra capacity for them to provide appropriate services to patients
Number of Houses proposed	110
Housing impact calculation	2.3
Patient Impact (increase)	253
Maxima Multiplier	0.07
Additional m <sup>2</sup> required (increase in list x Maxima Multiplier)	17.71 m <sup>2</sup>
<b>Total Proposed Contribution £</b> (Additional m <sup>2</sup> x £3kpm <sup>2</sup> , based on NHSPS build cost)	<b>£53,130</b>

### **Cleveland Police**

I've noted the references to Designing out Crime and Secured by Design within the Design and Compliance Statement .

There is no reason why the development couldn't achieve a Secured by Design (SBD) Certificate. There is no cost for this, and it can be used to help market the site. I am happy to provide the developer with the SBD application form.

Further guidance and my contact details can be obtained from [www.securedbydesign.com](http://www.securedbydesign.com) under Cleveland Police.

### **Environmental Health Unit**

I have read the submitted Noise Report (4th June 2021) and note that an assessment of low frequency noise has been undertaken. I am satisfied with the conclusion that there will be no impact from the nearby National Grid upon the development. I am satisfied with the method of assessment and the proposed mitigations to ensure external amenity noise levels are achieved to the garden plots nearest to Harrowgate Lane which are affected by traffic noise.

I would request further information is submitted regarding the management of noise and dust during the construction period, to include the hours of operation and whether there is any proposed piling of foundations. As such, I would recommend the following conditions are imposed;

### **Northern Gas Networks**

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

### **Northumbrian Water Limited**

In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Drainage Strategy and Suds Report". In this document it states the foul flows shall discharge to the combined sewer at manhole 2601, whilst the surface water flows shall discharge to the surface water sewer at manhole 1601 at a restricted rate of 12l/sec for phases 4 and 5 or 20l/sec if phase 6 is granted planning permission.

We would therefore request that the Drainage Strategy and Suds Report form part of the approved documents as part of any planning approval and the development to be implemented in accordance with this document.

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate

and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards.

### **Highway England**

I write in response to the above reserved matters application. This relates to partial build out of homes that received outline permission 14/2291/EIS (Application for outline permission for residential development (340 dwellings) including access, Tithebarn Land, Harrowgate Lane, Stockton-on-Tees) that forms part of the West Stockton allocation of housing set out in application.

Stockton-On-Tees Borough Council commissioned a study of the highway effects of approximately 2,500 potential dwellings in the West Stockton area which includes this application site area. The study considered the junction improvements necessary to satisfy the vehicle movements predicted to be associated with those potential dwellings during the weekday AM and PM hours.

The TA states that the following junctions are to be improved as part of the council's scheme:

- o A177 Durham Road/B1274 Junction Road/Harrowgate Lane;
- o Darlington Back Lane/Yarm Back Lane; and of particular interest to Highways England,
- o A66 Elton Interchange.

Highways England did not formally respond to this application as it went to Appeal (Appeal Ref: APP/H0738/W/15/3063793). At Appeal a phasing condition is suggested which would also prevent the erection of more than 250 dwellings on the appeal site until further improvements (additional to those envisaged in the Masterplan) to the Elton Interchange and the A66(T) are carried out. The initial 'cap' of 250 dwellings is derived from traffic modelling and on the basis that housing density is equalised across each parcel of land separately owned within the Strategic Urban Extension. This latter measure is part of a chosen device to achieve a fair distribution of the costs and benefits between each landowner involved in the development, thereby fostering the cooperation and coordination essential to deliver the scheme as a collaborative effort between the Council and the private sector.

The appeal was allowed and outline planning permission is granted for residential development for up to 340 dwellings' on land at Harrowgate Lane, Bishopsgarth, Stockton-on-Tees in accordance with the terms of the application ref:- 14/2291/EIS (dated 22 August 2014) and the plans submitted therewith, subject to the conditions listed in the attached schedule.

In so far as this reserved matters application is concerned, I have no record of numbers of homes allocated to be built however, we do not wish to comment beyond asking that the development is taken in line with the Planning Appeal decision.

### **Tees Archaeology**

Thank you for the consultation on this reserved matters application. This site has previously been subject to archaeological evaluation and no further investigation is required.

### **SBC Private Sector Housing**

Hope you are well. I see application 21/1539/REM is currently lodged which relates to the site we previously corresponded on, which is a long standing case. I have looked through the application again and see that 3.5 % of the 110 units will be affordable and that they are 4 x 2 bedroomed properties (plots 288 to 291), can you confirm these will be for affordable rent or an intermediate product in line with the 70:30 split we request? Also has the registered provider partner been identified?

### **SBC Housing Services Manager**

Hi Helen, I have tried to view the overall site layout, tenure and mix across each of the parcels of land proposed for housing development, however, drawing 5205-200 cannot be viewed on Uniform i.e. the detail is "blacked out".

The critical factor for this development is to follow the principles of any S106 site where there is a requirement for affordable housing provision. I would encourage an Affordable Housing Statement to be submitted to [strategichousing@stockton.gov.uk](mailto:strategichousing@stockton.gov.uk) as early as possible for this detail to be shared and formally agreed. I would expect the Affordable Housing Statement to include the following details as a minimum;

- o A colour coded map illustrating the location, property type (including bedroom size), tenure and proximity within the overall development of all affordable housing dwellings.
- o We no longer accept any Discount for Market Sale or First Homes unless this has been formally agreed previously as these products do not meet unmet affordable housing needs.
- o An early indication of any Registered Provider partner in the ownership and management of the affordable homes.
- o A commitment to provide Quarterly affordable homes delivery projections from inception through to completion and handover.
- o A commitment that all affordable homes will be allocated in accordance with the Tees Valley Common Allocations Policy.
- o Confirmation of rental and service charges connected to all affordable dwellings proposed.
- o An appropriate dispersal of all affordable dwellings within the overall site or linked phases of development (parcels of land) i.e. avoid over concentration of the affordable dwellings within any concentrated geographic part of the overall development.
- o Consideration of 1 bed, 4+ bedroom and bungalow provision or more "accessible affordable homes" from the perspective of mobility or physical difficulty customer challenges within the affordable housing offer.

#### **Durham County Badger Group**

Further to your request for comments 24/4/24. We have no additional comments and note retained and improved hedgerow through the middle of site and areas of grass which I assume will not be developed.

#### **The Environment Agency**

We have no objection to this reserved matters application for the appearance, landscaping, layout and scale for phases 4 and 5 of the proposed development.  
Flood Risk Management

#### **Teesmouth Bird Club**

Teesmouth Bird Club wishes to COMMENT on this application

The applicant's ecological appraisal of the breeding bird population present on the site makes reference to the likelihood of Grey Partridge and Skylark occurring. In addition to these two Species of Concern - Red Category, we would like to add a third - Yellowhammer.

The high density of houses proposed leaves no scope to provide mitigation measures for these species.

As an alternative, we request that appropriate measures be taken to use the houses themselves to provide mitigation. This should be by installing, during the construction processes, bespoke nesting cavities for other Red Category Species like Swift, House Sparrow and even bats.

Other developers successfully incorporate such S-Bricks at a cost of ~ £30 each.

We recommend a minimum of 70 to be fitted on gable ends at an elevated position. If their ecology consultant is unfamiliar with the bricks or their optimum positioning, then the club can advise.

### **SBC Place Development Manager**

Clarity sought on the proposed landscape hatched purple on the section shown below (at the northern boundary of site). Not annotated in Key.

#### **Square 1**

The landscaped square is a positive focal point within the development. The applicant is advised to review the position of planter and path of travel east / west to provide a direct connection between the central green space and western link. (illustrated below)

#### **Square 3 (central node)**

The layout of public realm is much improved and provides a focal point to the development. An existing feature tree in centre of this area is to be retained. It is understood that this tree is an Ash tree, confirmation is required as to whether this tree needs to be removed due to ash die back; if this is the case a replacement tree will be required.

Trim trail route is spaced too far apart to be used collectively. The applicant is advised to review the position of the trim trail to be closer together along the trail (towards node).

Detail is sought on the "sculpture artwork" noted in the square design unless the intention is to condition the detail of this aspect.

### **PUBLICITY**

13. Following a site notice, press advert and neighbour letters 3 letters of objections were received. A summary of the objections have been included below, however the full versions can be viewed on the public access.

1. Mrs J McCarthy 211 Harrowgate Lane Stockton-on-Tees
2. Youngs RPS 23 Grey Street Newcastle Upon Tyne
3. J Leighton 195 Harrowgate Lane Stockton-on-Tees

- Loss of privacy, loss of daylight and sunlight.
- Impact on the local environment, flooding and noise and also extra pollution from the impact of the large influx of vehicles.
- Loss of countryside, trees and greenery would be detrimental.
- The amount of traffic currently on Harrowgate Lane is substantial and a housing development will only add to congestion and traffic flow problems.
- Have not discharged condition 6 of the parent permission
- Phasing of the site and delivery of Zone B
- Conflict with Masterplan

### **PLANNING POLICY**

14. 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.

15. 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**

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

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

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

### **Local Planning Policy**

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

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

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

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

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

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
- Specific policies in that Framework indicate that development should be restricted.

#### **Strategic Development Strategy Policy 2 (SD2) - Strategic Development Needs**

2. To meet the housing requirement of 10,150 new homes over the plan period a minimum of:

- a. 720 dwellings (net) will be delivered per annum from 2017/18 to 2021/22.
- b. 655 dwellings (net) will be delivered per annum from 2022/23 to 2031/32.

3. The Strategic Housing Market Assessment for Stockton-on-Tees Borough identifies that there are specific needs with regard to housing type and tenure. This includes delivering homes to meet the needs of the ageing population.

#### **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 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:

- c. Creating a Sustainable Urban Extension to West Stockton.

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

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

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

- a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
- c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
- j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.
- l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.
- 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.

3. Conserve and enhance the historic environment through a variety of methods including:

- a. Celebrating, promoting and enabling access, where appropriate, to the historic environment.
- b. Ensuring monitoring of the historic environment is regularly undertaken.
- c. Intervening to enhance the historic environment especially where heritage assets are identified as being at risk.
- d. Supporting proposals which positively respond to and enhance heritage assets.
- e. Recognising the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution.

### **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.

4. To ensure residents needs for community infrastructure are met, where the requirement is fully justified and necessary, the Council will support planning applications which:

- a. Provide for the expansion and delivery of education and training facilities.
- b. Provide and improve health facilities.
- c. Provide opportunities to widen the Borough's cultural, sport, recreation and leisure offer.

5. Proposals will be encouraged where they provide for the expansion of communications networks, including telecommunications and high speed broadband; especially where this addresses gaps in coverage.

### **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/or
- b. 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.

### **Housing Policy 1 (H1) - Housing Commitments and Allocations**

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

- c. West Stockton Sustainable Urban Extension.

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

West Stockton Sustainable Urban Extension

6. Land is allocated and land reserved for the following number of dwellings at West Stockton Sustainable Urban Extension (SUE):

Site Location/Name Area (ha) Total Dwellings (approx)

a. West Stockton SUE 'Allocated Land' 115.2 2,150

b. West Stockton SUE 'Reserve Land' 19.6 400

7. Further policy regarding the West Stockton SUE is provided within Policy H2.

10. Indicative mapping identifying potential access arrangements as well as possible areas of open space and green infrastructure have been prepared for a selected range of allocations where additional guidance could benefit future delivery.

### **Housing Policy 2 (H2) - West Stockton Sustainable Urban Extension**

The West Stockton Sustainable Urban Extension covers approximately 135 ha of land and is allocated for the development of approximately 2,550 new homes.

Development will be guided by the Yarm Back Lane and Harrowgate Lane Masterplan, including the indicative Strategic Framework Plan, to provide:

1. Approximately 2,550 new homes (including 2,150 homes on allocated land and 400 homes on the 'reserve land').

2. A new primary school at the northern end of the Yarm Back Lane component of the SUE.

3. A community hub, comprising a shopping parade and community centre at the southern end of the Harrowgate Lane component of the SUE subject to the requirements of Policies SD6(3) and EG6(2).

4. Highway junction improvements at the following locations:

a. Elton Interchange.

b. Darlington Back Lane and Yarm Back Lane.

c. Horse and Jockey Roundabout (Durham Road, Junction Road and Harrowgate Lane).

d. Harrowgate Lane and Leam Lane.

5. A range of homes including affordable housing in accordance with Policy H4.

6. Green infrastructure and open space in accordance with ENV6.

7. A scheme with its own identity, informed by Design Codes for each Development Zone, detailing important design elements to ensure a consistent approach to quality standards.

8. A clearly defined street hierarchy and accessible, convenient and safe routes for pedestrians, cyclists and other users; this will include:

a. Improved linkages to the existing settlement.

b. Linkages to and enhancements of Castle Eden Walkway.

c. The provision of routes for north-south movement within and along the western extent of the site.

d. Improved connectivity along Harrowgate Lane.

9. A layout which facilitates delivery of the 'reserve land' allowing it to integrate into the wider street hierarchy, accessible routes and green infrastructure.

10. A scheme which avoids unacceptable harm to and maximises possible enhancements to the significance of heritage assets.

Each phase of development or proposals for each Development Zone as illustrated on Figure 14, must contribute equitably to the delivery of the SUE including all necessary services, facilities and planning obligations. On the allocated land, one planning application will be

supported per Development Zone unless it can be demonstrated that shared infrastructure can be delivered by an alternative method that will not prejudice the delivery of the SUE.

11. All development proposals must be planned and implemented in a coordinated manner in accordance with an agreed phasing and delivery schedule for each phase or Development Zone which shall provide for:

- a. An equal distribution of the 2,150 new homes on the allocated land based on the land area of each application;
- b. Contributions towards shared infrastructure on a proportionate basis per new dwelling proposed; and
- c. Where it is necessary for individual applications to provide increased contributions to frontload the delivery of infrastructure, a mechanism to ensure that contributions are recouped from later phases of development to ensure each application has contributed proportionately to the delivery of the SUE.

12. Development proposals which come forward prior to, or without an agreed phasing and delivery schedule for each phase or Development Zone will be refused.

13. Until significant improvements have been made to Elton Interchange (above those identified in point 4 above):

- a. no residential development will be permitted on the 'reserve land'; and
- b. the number of new homes on allocated land will be restricted to 2,150 unless it can be demonstrated in highway terms that additional homes can be provided without prejudicing the ability for the wider allocated land to deliver homes in accordance with the equal distribution detailed within point 11(a) of this policy.

14. Any proposals for residential development on the 'reserve land', or additional dwellings on the allocated land, must accord with other Local Plan Policies and demonstrate that the development can be accommodated without prejudicing the safe and efficient operation of the highway network or the equitable delivery of the SUE.

#### **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
- b. The proposal is for exclusively executive housing, where off-site provision would have wider sustainability benefits and contribute towards the creation of sustainable, inclusive and mixed communities; or
- c. The proposal involves a conversion of a building which is not able to accommodate units of the size and type required; or
- d. Any other circumstances where off-site provision is more appropriate than on-site provision.

6. Where off-site affordable housing or a commuted sum is considered acceptable, the amount will be equivalent in value to that which would have been viable if the provision was made onsite and calculated with regard to the Affordable Housing Supplementary Planning Document 8 or any successor.

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.

### **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.

2. A comprehensive, integrated and efficient public transport network will be delivered by:

- a. Retaining essential infrastructure that will facilitate sustainable passenger movements by bus, rail and water;
- b. Supporting proposals for the provision of infrastructure which will improve the operation, punctuality and reliability of public transport services;
- d. Improving public transport interchanges to allow integration between different modes of transport;
- e. Working with public transport operators to maintain and enhance provision wherever possible;
- f. Working with partners to promote the provision of accessible transport options for persons with reduced mobility; and

3. Accessible, convenient, and safe routes for pedestrians, cyclists and other users will be delivered by:

- a. Improving, extending and linking the Borough's strategic and local network of footpaths, bridleways and cycleways; and
- b. Improving the public realm and implementing streetscape improvements to ensure they provide a safe and inviting environment.

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:

- c. Cycleway/footway to the north of Mill Lane, Long Newton;
- d. Cycleway/footway from Elton Interchange to Durham Lane Industrial Estate;

#### 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).

b. Local road network:

- i. Junctions associated with the West Stockton Sustainable Urban Extension;
  - 1. Darlington Back Lane and Yarm Back Lane junction.
  - 2. Horse and Jockey Roundabout (Durham Road, Junction Road and Harrowgate Lane).
  - 3. Harrowgate Lane and Leam Lane.
- ii. Junction of A1027, Junction Road and Norton High Street, Stockton; and
- iii. Junction of Durham Road, A1027 and Bishopton Avenue, Stockton.
- iv. A689 at Wynyard:

8. The Council and its partners will support the development of the Key Route Network which through continual assessment of the strategic and local road network, will help identify and ensure appropriate improvements are delivered.

#### 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 it's safe and efficient operation.
- d. Appropriate infrastructure is provided which supports Travel Demand Management to reduce travel by the private car and incentivises the use of sustainable transport options.
- e. New development incorporates safe and secure layouts which minimises conflict between traffic, cyclists or pedestrians.

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

### **Transport and Infrastructure Policy 2 (TI2) - Community Infrastructure**

1. There is a need to ensure that community infrastructure is delivered and protected to meet the needs of the growing population within the Borough. To ensure community infrastructure meets the education, cultural, social, leisure/recreation and health needs of all sections of the local community, the Council will:

- a. Protect, maintain and improve existing community infrastructure where appropriate and practicable;
- b. Work with partners to ensure existing deficiencies are addressed; and
- c. Require the provision of new community infrastructure alongside new development in accordance with Policy SD7.

4. To ensure needs for community infrastructure are met, the Council will:

- a. Support opportunities to widen the cultural, sport, recreation and leisure offer;
- b. Support proposals of education, training and health care providers to meet the needs of communities;
- c. Encourage the multi-purpose use of facilities to provide a range of services and facilities within one accessible location;

5. Community Infrastructure is to be delivered alongside residential development at the West Stockton Sustainable Urban Extension and Wynyard Sustainable Settlement in accordance with Policies H2 and H3 to ensure the creation of sustainable communities.

### **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.

4. When considering applications for telecommunications development, the Council will have regard to the operational requirements of communications networks and the technical limitations of the technology.

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

8. Taking into consideration viability, the Council require developers of new homes, employment or main town centre uses to deliver, as a minimum, on-site infrastructure including open access ducting to industry standards, to enable new premises and homes to be directly served by local fibre and internet connectivity. This on-site infrastructure should be provided from homes and premises to the public highway or other location justified as part of the planning application. Where possible, viable and desirable, the provision of additional ducting will be supported where it allows the expansion of the network.

### **Natural, Built and Historic Environment Policy 1 (ENV1) - Energy Efficiency**

1. The Council will encourage all development to minimise the effects of climate change through meeting the highest possible environmental standards during construction and occupation.

The Council will:

a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:

i. Energy reduction through 'smart' heating and lighting, behavioural changes, and use of passive design measures; then,

ii. Energy efficiency through better insulation and efficient appliances; then,

iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then

iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then

v. Conventional energy.

b. Require all major development to demonstrate how they contribute to the greenhouse gas emissions reduction targets set out in Stockton-on-Tees' Climate Change Strategy 2016; and

c. Support and encourage sensitive energy efficiency improvements to existing buildings.

2. Proposals are encouraged where development:

a. Incorporates passive design measures to improve the efficiency of heating, cooling and ventilation; and

b. Includes design measures to minimise the reliance on artificial lighting through siting, design, layout and building orientation that maximises sunlight and daylight, passive ventilation and avoids overshadowing.

Domestic

3. All developments of ten dwellings or more, or of 1,000 sq m and above of gross floor space, will be required to:

a. Submit an energy statement identifying the predicted energy consumption and associated CO<sub>2</sub> 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 CO<sub>2</sub> 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.

Non domestic

4. All new non-residential developments up to and including 499 sq m of gross floor space will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

5. All new non-residential developments of 500 sqm and above of gross floor space will be required to:

a. Submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO<sub>2</sub> reduction; and

b. Be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

### **Natural, Built and Historic Environment Policy 2 (ENV2) - Renewable and Low Carbon Energy Generation**

1. Development proposals will be supported where renewable energy measures are considered from the outset, including incorporating small-scale renewable and low carbon energy generation into the design of new developments where appropriate, feasible and viable, and where there would be no unacceptable adverse effects on landscape, ecology, heritage assets and amenity. The Council encourages and supports:

- a. The local production of energy from renewable and low carbon sources to help to reduce carbon emissions and contribute towards the achievement of renewable energy targets; and
- b. Community energy schemes that reduce, manage and generate energy to bring benefits to the local community.

### **Natural, Built and Historic Environment Policy 3 (ENV3) - Decentralised Energy Generation and Supply**

1. The Council will promote and support decentralised energy such as District Heat and Power Networks by:
  - a. Working with local partner organisations and developers to implement decentralised energy networks in Stockton-on-Tees Borough in line with the District Energy Masterplan;
  - b. Requiring any developments with the potential to produce waste heat (such as power generation, energy from waste or chemical processing) to be CHP ready so that heat can be supplied into new or existing networks;
  - c. Identifying and safeguarding potential network routes; and
  - d. Requiring all major developments to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible, assess the feasibility of establishing a new network or future proofing energy infrastructure to make future connection feasible.
2. The Council will require all major development to investigate the use of decentralised energy networks for heat and power as part of the feasibility assessment and energy statement.

### **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.
2. Development on land in Flood Zones 2 or 3 will only be permitted following:
  - a. The successful completion of the Sequential and Exception Tests (where required); and
  - b. A site specific flood risk assessment, demonstrating development will be safe over the lifetime of the development, including access and egress, without increasing flood risk elsewhere and where possible reducing flood risk overall.
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<sup>6</sup>. 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).

### **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; Egglecliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm
- d. Listed Buildings

10. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to policies for designated heritage assets.

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**

17. The main considerations of this application relate to the principle of development/compliance with planning policies and the associated impacts on the character of the area, landscaping, amenity, flood risk, highway safety, ecology, impact on heritage assets and other environmental matters.

### **Principle of Development**

18. The National Planning Policy Framework (2024) sets out that the planning system should contribute towards the delivery of sustainable development which is outlined as meaning "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Achieving sustainable development also means that the planning system has three overarching objectives, which are economic, social and environmental and that at the heart of the National Planning Policy Framework is a presumption of sustainable development.

19. With regards to the policies of the Local Plan, Policy SD2 identifies a housing requirement of 10,150 dwellings across the plan period of 2017/18 to 2031/32. Policy H1 sets out the housing allocations and commitments across the plan period with the application site forming part of that allocation under H1 6(a).

20. Policy H2 providing specific detail on the West Stockton Sustainable Urban Extension (WSSUE) which allocates approximately 135 hectares for the development of approximately 2,550 new homes (400 of which would be on reserved land). The wider extension should also include a new primary school; a community hub (including shopping parade and community centre); a series of highway improvements and pedestrian/cycleway connections including those to the Castle Eden Walkway.

21. As detailed above, the application site forms part of the West Stockton SUE and is a key part of the Boroughs housing delivery across the Local Plan (as detailed in policies H1 and H2), providing 2,150 homes on allocated land of which the application site forms part of. Along with

housing delivery at Wynyard, the SUE is therefore one of the key strategic sites for housing delivery under the current local plan.

22. This application proposes to deliver 110 of the proposed 394 units across the detailed and reserved matters applications which is considered to bring forward the benefits of delivering part of the housing requirement and contributing towards the delivery of the Council's 5year housing supply.
23. Subject to consideration of site suitability, the feasibility of meeting the standards and site viability, Policy H4 requires 50% of new homes to meet Building Regulation M4 (2) "Category 2 – accessible and adaptable dwellings" and 8% of new dwellings to meet Building Regulation M4(3) "Category 3 – Wheelchair User Dwellings". In this instance due to the parent permission predating adoption of the Local Plan, the reserved matters applications are not subject to these requirements. However, the applicant has confirmed that whilst none of the dwellings would meet M4(3) 118 M4(2) compliant plots (30%) would be delivered. This is significantly above the 27 that would be needed to satisfy the 50% associated with the full application, which seeks permission for 54 plots. This would provide a significant degree of over provision across the development as a whole. Considering the overall balance between the optional standards and the delivery of affordable homes, it is considered that in this instance the scheme as proposed is acceptable.
24. The proposed layout and associated land take are broadly consistent with the housing allocation of the WSSUE and associated masterplan, the proposals are considered to be in accordance with the requirements of policy H2 of the adopted Stockton on Tees Local Plan

#### Affordable Housing

25. As part of the parent permission 12 affordable housing units were secured, these are to be delivered on site, through application ref 21/0249/REM and are secured through the S106.

#### Education

26. Contributions to education have already been secured through the parent permission S106.

#### Health Provision

27. Whilst the NHS comments are noted as this is a reserved matters application we are unable to seek the requested financial contribution.

#### Economic/Social Benefits

28. In addition, and as with all significant housing schemes they offer significant benefits through the provision of new housing and affordable housing. In addition, they support the growth of the economy through job creation both on site and within the supply chain during the construction period.
29. Additionally, within the Heads of Terms of the S106 secured the local labour agreement which would see to employ 10% of staff and the supply of materials from the local area.

#### Sustainability

30. 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.
31. 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.

32. 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.
33. 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 material considerations are considered in turn below;

### **Character and Appearance**

34. The National Planning Policy Framework at paragraph 135 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
35. Policy SD8 of the Local Plan reflects those policies of the NPPF seeking to achieve high design standards. Additionally, the Yarm Back Lane and Harrogate Lane masterplan also sets out a strategic framework for delivery which include a number of key design requirements when considering the overall approach taken by a development proposal. While the Stockton on Tees Local Design Guide SPD also promotes placemaking, good design and delivering high quality environment to live, work, play and learn in.
36. As set out within the parent permission, the site is situated towards the northern end of the Harrowgate Lane in Zone C of the WSSUE. Within the surrounding area there are a mix of properties, Zone A which has secured permission the north has a mix of dwellings sizes and styles although mainly consist of 2 and 2.5 storey dwelling. The residential properties to the east form the south-western edge of Hardwick and northern parcel of the Bishopsgarth estate. These properties are two storey and consist of a mix of materials including a variety of brickwork colours, elements of render and hanging tiles.
37. The proposed housing layout incorporates a range of dwellings which are two storey and two and a half storey in scale and would therefore be appropriate within the surrounding setting. The house types indicate a mix of two, three and four bedroomed properties over a mix of small terraces, semi-detached and detached dwellings and with a mix of tenure types. The general layout is considered to be appropriate within the overall context of not only the wider application site but the surrounding area, and approved developments to the north. The streets are considered to have a good level of frontage and areas of public amenity spaces, have a good degree of natural surveillance to provide active frontages, sense of place and a safe environment. All materials are to be secured through condition.
38. Whilst the place team comments are noted it is considered that the revised plans have gone a long way to address the initial comments, subject to the recommended conditions. Furthermore, consideration has been given to the development to the north.
39. It is considered that whilst relatively high density, subject to condition securing the final details, the scheme has managed to incorporate meaningful landscaping through and around the development, including blue green corridors in compliance with the masterplan and the formation of nodes and feature squares. Whilst the areas are indicated on the plan, full details have not been provided and therefore further conditions are required to secure the detailed design.
40. Overall, subject to the recommended conditions securing the details of the soft and hard landscaping, as well as materials, it is considered that the proposed development would largely comply with the aims of local and national planning policy.

### **Residential Amenity**

41. Policy SD8 of the adopted Local Plan seeks to ensure that development proposals are designed to the highest possible standards by ensuring that new development are appropriately laid out, ensure adequate separation and provide privacy and amenity of all existing and future occupants.
42. In terms of the internal relationships between proposed properties, the layout and spacing of properties within the site are considered to be acceptable to provide sufficient levels of privacy and amenity between properties. In the few areas where separation distances are not met, the level of amenity for those occupiers are considered to be acceptable given the orientation of the properties, angles between habitable room windows, overall siting and nature of the rooms within close proximity to one another. This includes the relationship with the full permission and the school to the north.
43. Planning conditions are secured through the parent permission and through this permission with regards to a number of matters including finished site levels and means of enclosure. In addition, the removal of permitted development rights for extensions and alterations is also recommended to protect future levels of residential amenity for the life of the development given the overall relationship between the properties within the proposed layout.
44. To the western boundary is an approved solar farm, ref 22/1511/FUL during the course of determining that application consideration was given to the potential impact on future occupier's amenity of this allocated site. It was concluded that;
45. The results of the analysis have shown that reflections from the proposed development are geometrically possible towards the majority of the proposed dwelling receptors, however there is no significant impact upon nearby proposed dwellings due to existing screening blocking the views of the proposed development and the presence of other mitigating factors. Therefore, no mitigation is required.
46. Whilst the impact was considered that was done principally at ground floor. Due to the orientation of the proposed dwellings plots 332- 327 and 342- 349 rear elevations would front onto the solar farm. Whilst views at ground floor would largely be screened by the existing boundary treatment, the first-floor windows, which principally serves bedrooms/ bathrooms would provide views over the solar farm. The loss of a view is not a material consideration. However, due to the existing boundary treatment, orientation of the panels and the separation distances, it is not considered that the panels would give rise to a demonstrable adverse impact on future occupier's amenity with respect of glint and glare to such a degree that a reason for refusal could be sustained. It is of note that no objection has been received from the EHU officers with respect to either glint and glare or noise from the associated solar farm infrastructure
47. No objection has been received in terms of the layout from National Grid and no objection has been received from the Council EHU in terms of noise from either the overhead lines or adjacent land uses. The parent permission was supported with a Noise Assessment and necessary conditions imposed.
48. The objections from residents to the east of the site are noted with regards to loss of light and privacy, however due to the separation distance and physical separation created by the highways it is not considered that the proposed development would have an adverse impact on the occupiers of these existing properties.
49. Concerns have also been raised regarding air quality, EHU have considered the application and have raised no objection.

50. Overall subject to the recommended conditions the proposed development is considered to provide all future occupiers with an acceptable level of amenity whilst safeguarding the amenity of the existing land uses.

### **Highways and Transport**

51. Concern has been raised by the objectors in relation to the wider traffic implication of the development. However, as set out above the principle of the development including the assessment of the wider impact on the highways network have been considered within the parent permission. The Highways Transport and Design Manager and National Highways have both confirmed that they have no objection to the proposed development.
52. In terms of the access and internal highway and parking arrangements, the Highways Transport and Design Manager has reviewed the proposed development and following receipt of the revised plans, has raised no objection to the proposed development.
53. Following submission of the development to the north revised plans were received to enable connectivity of the north south cycleway, in accordance with the masterplan

### **Flood Risk and Surface Water**

54. The applicant has submitted a flood risk assessment, drainage strategy and are providing a SUD pond to serve the wider development. The proposed residential development which is classified as 'more vulnerable' is located within flood zone 1, therefore, the development is suitable within the identified flood zones in accordance with NPPF. Objectors have raised concerns in relation to surface water and flood risk. The LLFA have been consulted and subject to the recommended conditions have raised no objection. Northumbrian Water have raised no objection and neither has the Environment Agency

### **Ecology**

55. Concern has been raised by objectors over the displacement and impact on wildlife and quality of the ecological appraisal. The Ecological Appraisal submitted in support of the parent permission was conditioned to be complied with however due to the passage of time a condition is proposed requiring a walkover survey be carried out prior to each stage of the development, to ensure that there has been no ecological or biodiversity change which would require different mitigation those proposed. An additional condition has also been recommended in light of the Teesmouth Bird Club.
56. A further condition has been recommended to secure any tree to be felled is subject to a climb and inspect survey. In addition to conditions regrading illumination and adaptations to boundary fences to facilitate the movement of hedgehogs in line with the guidance produced by the British Hedgehog Preservation Society. It is also proposed to condition a Construction Environment Management Plan, to safeguard wildlife during the construction phase.
57. The application was submitted prior to Biodiversity Net Gain and therefore the application is not subject to this under the Habitat Regulations however there is still a requirement under the Local Plan Policy ENV5 for development proposals to achieve net gains in biodiversity wherever possible. The Site has the capacity to enable the retention of a number of existing landscape features, such as hedgerows and trees which provide a valued habitat for a number of key species, as well as providing some biodiversity gains. Therefore, notwithstanding the recommendations within the submitted reports a condition is required for a biodiversity protection and gains plan to be submitted detailing how this has informed and will be integrated into the detailed landscape proposals.

58. Subject to the imposition of the recommended conditions it is considered that the proposed development would not only safeguard habitats but can achieve biodiversity gains in accordance with the requirements of the NPPF and Local Planning Polices.

#### **Nutrient Neutrality**

59. Following advice from Natural England in March 2022 with regards to the unfavourable condition of the River Tees due to excess nutrients and implications of that for the Teesmouth and Cleveland Coast SPA/Ramsar. All forms of development which generate additional overnight accommodation are required to consider and assess whether there is an adverse impact resulting from the development proposals on the SPA.
60. As part of this application, an appropriate assessment has been undertaken and Natural England has seen and commented on that assessment. In summary the Appropriate Assessment notes that the proposals will increase the nitrogen arising from the development and consequently the applicant was advised that this development is deemed to have a likely significant effect on the Teesmouth and Cleveland Coast SPA/Ramsar.
61. The applicant proposes to address the increased nitrogen arising from the development through a combination of private and Natural England credits to secure the mitigation for the whole site. The HRA and AA have been submitted to Natural England, however at the time of writing the consultation response was still outstanding. Members will be updated at the committee meeting.

#### **Crime and Disorder**

62. 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.
63. The development is relying on the proposed layout allows for natural surveillance of the public square. The comments from the Designing out Crime Officer have been noted. It is considered that a number of the recommended measures would be achievable within the site and therefore a suitably worded informative has been recommended. Subject to the recommended informative it is not considered that the proposals would give rise to crime and disorder.

#### **Residual**

64. The concerns of the objectors are noted, and the deliverability of Zone B are noted. The revised plans show two vehicle links through to Zone B, as well as cycle link. The links go through to the red line plan. Whilst the objector speaks of concerns over phasing, it is of note that no application has yet to be made for Zone B. However as per the parent permission the development shall begin no later than two years from the date of the approval of the last of the reserved matters to be approved.
65. Condition 6 of the parent permission has been discharged.

#### **CONCLUSION**

66. Given the above considerations the proposed development is considered to be visually acceptable, and it is not considered that the proposed development will have any adverse impacts on levels of residential amenity, flood risk, ecology or highway safety to justify a refusal of the application. The proposed scheme is therefore in accordance with the relevant local and national planning policies.
67. It is recommended that the application be Approved with Conditions for the reasons specified above with delegated decision back to the Planning Services Manager

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

**WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Bishopsgarth And Elm Tree (Pre May 2023)</b>
<b>Ward Councillor</b>	<b>Councillor David Minchella</b>
<b>Ward Councillor</b>	<b>Councillor Hugo Stratton</b>

**IMPLICATIONS**

**Financial Implications:**

As per the report

**Environmental Implications:**

As per the report

**Human Rights Implications:**

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

**Community Safety Implications:**

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

**Background Papers**

Stockton on Tees Local Plan Adopted 2019

**Supplementary Planning Guidance Notes**

**Supplementary Planning Documents**

SPD1 – Sustainable Design Guide - Oct 2011

SPD2 – Open Space, Recreation and Landscaping - Dec 2009/2014

SPD3 – Parking Provision for Developments - Oct 2011

SPD6 – Planning Obligations - May 2008

SPD – Housing (Meeting Housing Needs) - Adopted May 2021

SPD – Householder Extensions and Alterations - Adopted May 2021