

DELEGATED

Report to Planning Committee

5 November 2025

Report of Director of Inclusive Growth and Development

24/0977/OUT

Little Maltby Farm, Low Lane, High Leven

Expiry Date: 9 September 2024

Extension of Time Date: 7 November 2025

Summary

Outline Planning permission, with all matters reserved except access is sought for the erection of a convenience foodstore and a parade of 4no convenience facilities (Use Class E) and associated outdoor terrace area. Erection of retirement living apartments (use class C3) or residential care accommodation (use class C2) of approx. 60 bed spaces. Erection of 4no self build residential plots (Use Class C3). Highway access to/from the A1104 Low Lane via Welwyn Road and Melandra Road connecting to northeast boundary, with associated landscaping, open space and associated works.. Since the original scheme submitted, the 40 apartments have been removed

The principle of a local centre has previously been accepted on the wider site and the site is allocated for Housing in the Local Plan. The development has attached a number of objections which have been considered in full and there are no planning reasons to refuse the development.

The proposal is considered to be acceptable in planning terms in all other regards and is recommended for approval subject to those conditions detailed within the report.

Recommendation(s)

That planning application 24/0977/OUT be approved subject to the following conditions and informatives;

01 Reserved Matters - Time Period for submission

Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

02 Period for Commencement

The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

03 Reserved Matters – Details

Notwithstanding the submitted plans, approval of the details of the Appearance, Landscaping, Layout and Scale of the development known as the 'Reserved Matters' shall

be obtained in writing from the Local Planning Authority before the development is commenced. The development shall be carried out in accordance with the approved plans

Reason: To reserve the rights of the Local Planning Authority with regard to these matters

04 Approved Plans

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

Plan Reference Number	Date Received
P19-2015_Figure 3.3	11 August 2025
230040-3DR-ZZ-00-DR-A-080001-P04	14 July 2025

Reason: To define the consent.

05 Scope

The development shall be implemented in general conformity with the approved Illustrative Masterplan submitted with the planning application.

Reason: To ensure that the Reserved Matters for the appearance, layout and scale of the buildings and landscaping to be submitted are in accordance with the master plan on which the development has been considered and to enable the Local Planning Authority to satisfactorily control the development.

06 Control over extent of convenience shop;

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, the convenience store hereby approved shall not exceed a net retail sales area of 280sqm.

Reason: To define the extent of the retail unit to ensure that its scale remain appropriate within the development of a local centre and accord with Sunday Trading Laws .

07 Existing and Proposed Site levels;

Notwithstanding the information submitted as part of the application, for each phase details of the existing and proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Reason: To define the consent and to ensure that the development does not adversely impact on the visual amenities of the area

08 Accessible and adaptable homes

Notwithstanding the submitted plans two of the proposed dwellings shall meet Building Regulation M4 (2).

Reason: In the interests of promoting accessible and adaptable homes.

09 Sustainable Surface Water Drainage Scheme

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. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- III. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- IV. 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.

10 Flood Risk Assessment and Drainage Strategy

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy Revision D dated 08th August 2025 and the following mitigation measures detailed within the FRA;

- Discharge to the watercourse restricted to 6.7l/s
- 546m3 of storage to be provided.

The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

11 Discharge of Surface Water: pre-occupation

The buildings 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.

12 Foul Drainage

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

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

13; Archaeology

No development shall commence until a programme of archaeological work for each phase including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure the archaeological interest of the site is fully investigated and recorded where necessary

14 Ecology and Biodiversity

Works shall be undertaken in accordance with the recommendations as detailed in the submitted June 2025. Any works on site that require clearing areas of scrub and vegetation in advance of any proposed development should be completed during the period September to February to avoid any disturbance to breeding birds between 1st March and 31st August. Where clearance does take place during the bird breeding season, a pre-clearance check of the area should be carried out by a suitability qualified ecologist.

Reason: To conserve protected species and their habitat where necessary

15 Ecology Survey

If work does not commence on each phase within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing on site 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 and approved in writing by the local planning authority and identify any additional or revised mitigation measures required

Reason: To conserve protected species and their habitat where necessary

16 Nitrate Mitigation

Other than the local centre, no development shall commence until the applicant has satisfactorily demonstrated to the Local Planning Authority that they have completed the purchase of the allocated Nutrient Credits in Accordance with the submitted Option Agreement.

Reason: To ensure that the proposed development does not adversely impact on the Teesmouth and Cleveland Coast Special Protection Area through increased nutrient pollution.

17 BNG

Prior to the commencement of work a Biodiversity Gain Plan, must be submitted to and approved by the planning authority before the development can begin; and thereafter a Biodiversity Gain Plan for each reserved matter in relation to layout must be submitted to and approved by the planning authority before the development of that phase can begin and ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development

Reason: In the interests of ensuring measurable net gains to biodiversity and allow the LPA to discharge its duties under the NPPF (2023)

18 Biodiversity Management and Monitoring Plan

No development shall commence until a Biodiversity Management and Monitoring Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management Plan shall include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

Monitoring reports will be submitted to the Council during years 2, 5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

Reason: In the interests of ensuring measurable net gains to biodiversity and allow the LPA to discharge its duties under the NPPF (2023)

19 Construction Environmental Management Plan

No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority for each phase. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to noise and vibration, dust and air pollutants (in broad accordance with the Revised Air Quality Assessment June 2025), land contamination and ecology. The CEMP shall include measures to effectively control dust emissions from the site works, in accordance with an impact assessment undertaken in accordance with the IAQM guidance, this shall address earth moving activities, control and treatment of stockpiles. It shall also set out arrangements by which the developer shall maintain communication with businesses and residential premises in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: In the interests of protecting the environment.

20 Construction Traffic Management Plan

Other than site preparation works, prior to the commencement of development, a Construction Traffic Management Plan shall be submitted and agreed in writing with the Local Planning Authority for each phase and shall provide details of the routing of all HGVs movements associated with the construction phases, parking for use during construction and

measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. Work shall be undertaken in accordance with the agreed details.

Reason: To ensure the impact of the development is sufficiently controlled and to mitigate any adverse impact from the development

21 Servicing Plan

Notwithstanding the submitted Servicing Plan, final details of servicing arrangements for the commercial units shall be submitted to and approved in writing by the Local Planning Authority, prior to first use of any of the commercial units. The Servicing Plan shall include details of deliveries, refuse collection, and measures to mitigate noise arising from, and not limited to, vehicle movements. The development thereafter shall be operated in accordance with the approved Servicing Plan.

Reason: In the interests of highway safety and residential amenity

22 Preliminary Risk Assessment

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

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.

23 Cycle Storage

Prior to the occupation of each building/block, a scheme for cycle parking, in broad accordance with SPD3 (Parking Provision for New developments) shall be submitted and approved in writing by the local planning authority. The scheme shall be implemented in full and retained for the life of the development.

Reason: in the interests of providing sustainable travel options for the site.

24 Electric Vehicle Charging

Notwithstanding the submitted details, a scheme for the provision of electrical charging points for the charging of electrical motor vehicles, shall be submitted and approved in writing by the local planning authority. The charging points shall be in place prior to the occupation of the buildings.

Reason:-to ensure a satisfactory form of development

25 Waste Storage

Prior to the occupation of each building/unit, a scheme for secure refuse storage shall be submitted and approved in writing by the local planning authority. The scheme shall be implemented in full and retained for the life of the development.

Reason: To ensure a satisfactory form of development.

26 Lighting;

Prior to commencement of works on each phase, other than site clearances and preparation works, details of the external appearance of all external lighting, including colour and luminance shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. The lighting shall be installed in accordance with the agreed details and be in place prior to occupation.

Reason: To avoid light pollution in the interests of the visual amenities of the area

27 Means of Enclosure

Prior to installation, details of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

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

28 Energy Efficiency

Prior to the erection of any buildings, other than the individual dwellings, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall identify the predicted energy consumption, the associated CO2 emissions and how the energy hierarchy has been applied to the development, including an investigation into the feasibility and viability of connection to decentralised energy networks for heat and power and the achievement of a "Very Good" BREEAM rating for the scheme. The statement shall set out the feasibility and viability of achieving a minimum 10% reduction in CO2 emissions from the development, over and above current Building Regulations Part L requirements, or a minimum of 10% of the total predicted energy requirements of the development will be generated from renewable energy sources. Development shall be carried out thereafter in a manner that incorporates any feasible and viable measures identified.

Reason: Reason: In the interests of promoting sustainable development in accordance with the requirements of Local Plan Policies ENV1 and ENV3.

29 Noise disturbance from New Plant Air Conditioning/ /Odour control

Prior to the installation of any air conditioning units/ plant equipment / means of mechanical ventilation and/or a ventilation and fume extraction system in the car facility or local centre, full details shall first be submitted to and be agreed in writing by the Local planning Authority. Such details shall including a full technical specification by a suitably qualified technical professional person, details of the position of any A/C unit, plant and/or ventilation, fume or

flue outlet points and the type of filtration or other odour treatment which shall be installed and used at the premises. Thereafter the equipment shall be installed in accordance with the agreed details prior to the development being brought into use and shall be maintained in accordance with the manufacturer's recommendations, including the frequency of replacement of any filters, for the lifetime of the development.

The rating level of sound emitted from [any fixed plant and/or machinery associated with the development] [industrial activities at the use hereby approved] shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 1 hour LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority. Reason: In the interest of protecting future occupiers' amenity in accordance with local plan policy SD8 and the NPPF

Reason: To protect the amenities of nearby residents.

30 Construction Noise

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

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

31 Unexpected Land Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

Reason: To ensure any unknown contaminative features encountered during the development are investigated and remediated to an acceptable standard.

32 Use of the Units

The premises in the local centre hereby permitted shall be used only for uses falling within use class E (a, b, c, d, e and f) of the Town and Country Planning Act (Use Classes) Order as subsequently amended and only one unit shall be operated as a E(b) use.

Reason: To define the consent and in the interests of securing the development to meet the local needs.

33 Hot food takeaways and fast food outlets

The buildings hereby approved shall not be occupied by hot food takeaways and/or fast food outlets.

Reason: In the interests of health and wellbeing in accordance with the NPPF.

34 No subdivision/ Amalgamation

The premises shall not be sub-divided or combined into independent units without the prior written consent of Local Planning Authority and shall therefore be retained as such notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order).

Reason: To define the consent and in the interests of securing the development to meet the local needs.

35 Hours of Operation

The hereby approved units shall not operate outside the hours of 7.00 - 23.00 Monday to Saturday and 10.00 – 16.00 Sundays or Bank holidays ((except for any unit operating under Use Class E(b))

Any units operating under a Class E(b) use the hours shall be restricted to 7.00 to 22.00hrs Monday to Saturday and 09.00 – 19.00 on Sundays/Bank Holidays

The outdoor food and beverage terrace shall only be used between the hours of 9.00 – 18:00hrs Monday – Saturday and on Sundays/Bank Holidays

Reason: In the interests of the amenity of the future neighbouring residential premises.

36 Deliveries

No deliveries shall be taken at or dispatched from the site outside the hours of 09:00Hrs and 18:00Hrs Monday - Saturday with no deliveries Sundays or Bank Holidays.

Reason: To adequately control the level of activity from the premises in the interests of protecting the residents amenity.

Informatives:

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: Reserved matters

When submitting the application(s) for reserved matters; the reserved matters should include the following details

"access", means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture; "scale" means the height, width and length of each building proposed within the development in relation to its surroundings;

"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

Informative Use Class E. Definition

Commercial, Business and Service Use, or part use, for all or any of the following purposes—

- (a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public,
- (b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,
- (c) for the provision of the following kinds of services principally to visiting members of the public— (i) financial services, (ii) professional services (other than health or medical services), or (iii) any other services which it is appropriate to provide in a commercial, business or service locality,
- (d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms or use as a swimming pool or skating rink, principally to visiting members of the public,
- (e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,
- (f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,
- (g) for— (i) an office to carry out any operational or administrative functions, (ii) the research and development of products or processes, or (iii) any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Background

1. The site is allocated in the local plan as a housing commitment. The area identified as IB3 is for 1,155 dwellings and IB7, the adjacent site is for 66 dwellings giving a total of 1221 across the Low Lane site. There is an approval on land not within the allocation for 9 dwellings.
2. The site has previously benefited from planning permissions for a total of 970 dwellings and a local centre up to 2500m², albeit this scheme was not implemented.

Site and Surroundings

3. The application site is the southern end of Ingleby Barwick. The site is accessed from Low Lane via Welwyn Road to the west and Melandra Road to the south.

4. To the north of the site is an area allocated for open space and to the west is Ingleby Manor Free School.
5. Newly Built residential properties are located to the south and further developments are ongoing to the north east. To the immediate east of the site is Little Maltby Farm (a grade 2 listed building) and The Haybarn which was 05/0155

Proposal

6. Outline Planning Application (with all matters reserved except access) is sought for
 - A convenience food store and a parade of 4no convenience facilities (Use Class E) and associated outdoor terrace area. The supporting information states that the local centre is proposed at the heart of the Low Lane/ Ingleby Manor development area. This will provide for day to day convenience shopping needs of residents and school students. The local centre is proposed to be located directly along Welwyn Road with an additional pedestrian and vehicular access from Melandra Road.
 - Erection of retirement living apartments (use class C3) or residential care accommodation (use class C2) of approx. 60 bed spaces. The care home / retirement living for people who require extra care and want to remain in the area of Ingleby Barwick.
 - Erection of upto 4no self build residential plots (Use Class C3).
7. The original proposal included 40 apartments, but this has been removed from the scheme

Consultations

8. Consultees were notified and the following comments were received.
9. Highways Transport & Design Manager
The proposals are outline with all matters reserved except for access therefore the comments provided only relate to the traffic impact and access arrangements of the proposals as the internal layout and car parking provision will be considered at reserved matters should this application be approved. The applicant has submitted a Transport Statement (TS) and a Proposed Masterplan (Drwg No. 230040-3DR-ZZ-00-DR-A-070005 Rev P12) in support of the proposals.

Traffic Impact: As set out in the TS the site has previously benefited from planning permissions for a total of 970 dwellings and a local centre up to 2500m². The TS also demonstrates that, based on the current proposed level of housing on the site, which is circa 854 dwellings, the traffic associated with the current proposals would fall within the level previously agreed and accepted. Taking the above into account it cannot be demonstrated within the context of the NPPF that the residual cumulative impacts on the road network of the proposals would be severe. Therefore, a highways objection cannot be raised in relation to the impact of the proposals on the local road network.

Access Arrangements: Tracking drawings have been provided for the proposed site access, taken from Welwyn Road, which will potentially serve a car park and service yard however, as set out above the internal layout of the development is not being considered at this stage.

The tracking drawings have demonstrated that it is possible to provide an access from Welwyn Road which allows for sufficient space and intervisibility between vehicles to

avoid a conflict between a delivery vehicle and a visitor to the development which is considered to be acceptable.

The two proposed simple T junctions taken from Melandra Road to serve the development are also acceptable. Therefore, subject to a construction traffic management plan being secured by condition there are no highways objections to the proposals.

10. 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.

11. Environmental Health Unit

I have checked the documentation provided, have found no grounds to object to the principle of this development however, I would make some additional comments for recommendations should this application be successful.

Contaminated Land: I have read the Phase 1 Desk Study ref EMS3627 DS dated 2012 and although I agree with the conclusions and recommendations to complete further investigation, as they may have been at that time, It is my professional opinion that this report needs to be updated and checked to ensure nothing further has changed since the initial site walk over was carried out over 12 years ago.

Noise Assessment: I have read and understood the Noise Assessment Report reference: NJD24-0027-002R and I am in full agreement of their overall assessment process and their recommendations, however, SBC would usually like the initial monitoring period to be over a 7days period rather than just the 24 hours as in the report, and my recommendation would be to ensure their mitigation measures are put in place and that the expected outcomes are demonstrated through a validation report which should be completed and agreed prior to any residential premises being occupied. As for the commercial premises, I would be recommending restrictions be put in place for operating hours and delivery hours until the individual unit's use is identified, at this stage I would be recommending operating hours 07:00-23:00 Monday - Saturday 10:00- 16:00 Sundays with delivery times between 09:00- 18:00 Monday - Saturday with no deliveries Sundays or Bank Holiday Mondays.

Air Quality Assessment: I have read and understood the Air Assessment Report reference: Report Reference: NJD24-0027-001R and I am in full agreement of their overall assessment process and their recommendations, however, I would like to see further considerations to dust and particulates during the construction phase being addressed within a Construction Management Plan, where stockpile heights, wheel wash facilities and continuous dust monitoring are controlled and undertaken to ensure this doesn't affect the residential properties in the vicinity.

12. Natural England

No Objection - Subject To Appropriate Mitigation Being Secured

We consider that without appropriate mitigation the application would have an adverse effect on the integrity of Teesmouth & Cleveland Coast Special Protection Area and Ramsar Site - <https://designatedsites.naturalengland.org.uk/>

damage or destroy the interest features for which Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified. In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required: Full payment for the allocated credits from Thoroughway Limited

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures

13. Cleveland Police

With regards to your recent outline planning application 24/0977/OUT for Convenience Facilities, Retirement/Care Facilities & Residential at Little Maltby Farm, High Leven. Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED). I would like to make you aware that Cleveland Police operate the "Secured by Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.

Should permission be granted, I recommend applicant actively seek Secured by Design accreditation; full information is available within the SBD Residential and Non-Residential Guides 2025 Guide at www.securedbydesign.com. I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

The Secured by Design Residential Guide highlights that the concepts and approach adopted within this guide can be used to influence strategic planning policies, in support of Paragraph 102a of the NPPF.

The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience". Stockton-on-Tees Borough Council Local Plan, Policy SD8 includes the following... 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.

Supplementary Planning Guide, Local Design Guide Section 3.6 and Sustainable Design Guide Section 4.9 also refer to Security & Safety. Another material consideration is Section 17 of The Crime and Disorder Act 1998. Further information on the Secured By design initiative can be found on www.securedbydesign.com Although not an SBD requirement, Stockton along with many other areas nationwide suffers from occurrences of metal theft. These include copper piping, boilers, cables, and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products. Strong consideration should also be given in relation to the provision of On-Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist.

In addition to the above and having viewed the proposal I would also add the following comments and recommendations; again, should permission be granted.

Residential: All doors and windows are recommended to be tested and certified PAS24:2022/2016 standards (or equivalent) This includes garage doors. These must be dual certified for both fire and security.

With regards to the proposed retirement/care building, all communal doors are recommended to be accredited LPS1175: A1 standards, (or equivalent) as a minimum. Any door entry/access control systems should form part of the overall scope of testing as a door-set in its entirety. Fire doors should be devoid of external furniture and be suitably alarmed.

Compartmentation within this element of the proposal is also a prime consideration together with CCTV installation. Dusk to dawn lights are recommended to each elevation with an external door-set. This also includes any proposed garage doors and side in curtilage parking areas, particularly those that are 50% or more of the length of side elevation of plot it serves. .

ALL roadways' pathways and parking areas, adopted or otherwise, are recommended to be to BS5489-1:2020 standards with a uniformity preferably to Secured by Design recommended one of 40%, as a minimum 25%.

Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates. Excessive permeability should be eliminated. All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height. Those to rear/rear side of Plots backing onto open space recommended to be increased to minimum of 2.2m preferably 2.4m. Defensive planting to external façade of boundary treatments backing onto open space should be considered also. Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses. Boundary treatments between rear gardens are recommended to be 1.8m in height. When these rear side treatments are proposed to be lower-level post and rail, this option offers neither security or privacy and I would recommend against it. Defensible space to each plot is an important consideration.

Ginnel access serving several rear gardens should be avoided where possible. If they are deemed necessary, a lockable gate is required at initial access point as well as each individual garden. Any proposed PROW, informal pathways, cycle lanes etc. are to be incorporated into active street frontages to avoid creating potential crime generators. This is not the proposal in this instance, and I would strongly recommend against the existing PROW running to the rear of the proposed developments, this could become a crime generator and in fact design in opportunities for crime and ASB to occur. Any proposed links to existing or future phases of development are to be afforded maximum surveillance, be formalised and be fronted onto.

Vehicles should either be parked in locked garages or on a hard standing within the dwelling boundary. Where communal parking areas are necessary, bays shall be sited in small groups, close and adjacent to homes, be within view of active rooms and clearly marked, so that it is obvious which parking spaces belong to which dwellings.

The word 'active' in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court. Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms. Rear parking courtyards are discouraged for the following reasons:

They introduce access to rear elevations, which may leave dwellings vulnerable to burglary. In private developments, such areas are open and unlit and therefore increase the fear of crime. Ungated courtyards provide areas of concealment which can encourage anti-social behaviour.

Where rear parking courtyards are considered absolutely necessary, they must be protected by a gate, the design of which shall be discussed with the DOCO at the earliest possible opportunity. Where gardens abut the parking area an appropriate

boundary treatment should be discussed and agreed by the DOCO. Again, the above lighting specification standards apply.

Convenience/Retail - All doors, ground floor and easily accessible windows and proposed roller shutters to the units are recommended to be tested and accredited LPS1175:A1 (or equivalent) rating as a minimum. Fire doors are recommended to be devoid of external furniture. The parking areas and pathways are recommended to be column lit to BS5489-1:2020 standards with a minimum uniformity of 25%. It is recommended to have alarm provision provided.

CCTV provision is recommended within proposal. A suitable 2.4m boundary treatment, including gates is recommended to protect rear delivery area. This should be of either a weldmesh or expanded metal type. Careful consideration should be given in relation to the types of retail premises and hours of operation to minimise opportunities for ASB to occur, the proximity of the supported living development is a strong consideration in this as some retail outlets can attract higher levels of ASB.

14. 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.

15. Northumbrian Water Limited

The proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records.

Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>. At this time the planning application does not provide sufficient detail with regards to the management of foul water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We therefore request a condition and informative.

16. Tees Archaeology

Thank you for the consultation on this application. We note the submission of a 'geophysical survey' however, not only are the figures missing but the report does not actually examine the proposed development site. We note that the planning statement references the archaeological condition (condition 18) placed on outline application 12/2517/OUT. This condition states: 'No development shall take place in any particular phase of the development until a programme of archaeological work for the phase concerned, including a written scheme of investigation, and a timetable, has been submitted to and approved in writing by the local planning authority. The archaeological work shall be carried out in accordance with the approved details.' As far as we are aware, the phase of development that was proposed for the plot of land covered by this current outline application has not taken place, and the archaeological condition on 12/2517/OUT remains valid. As well as the geophysical survey on the site

in question (Event 948), a number of archaeological investigations have been carried out around the proposed development site, all of which demonstrate the high potential of the area. A Bronze Age cremation (HER 4028) was uncovered less than 20m from the south-west corner of the proposed development site, while an Iron Age/Romano-British boundary ditch (HER 8692) was recorded c. 45m to the south. Roughly 100m to the south-west of the proposed development site, numerous prehistoric and Romano-British finds (HERs 4027, 8832, 8904, 9607, and 9608), including a settlement and Bronze Age Barrow, have been recorded. Just over 110m to the north-west of the proposed development site, an Iron Age enclosure was recorded during archaeological works, along with additional prehistoric remains including some dating to the Neolithic period (HERs 9493 & 9627)

Aerial imagery shows that there has been vehicle movement on the site over the years and LiDAR imagery indicates that there are spoil heaps/mounds on the proposed development site. Despite the use of the site for spoil heaps and storage, it is considered that there is still the potential for archaeological remains to be present on site. We can only confirm the presence or absence of archaeological remains through field evaluation, and request that trial trenching of the site is carried out. However, the requested trial trenching will need to be undertaken once these have been reduced down to ground level under the supervision of an archaeologist. As this is an outline application, we are willing to secure the evaluation works with an appropriately worded condition; any further mitigation works can then be covered by the reserved matters applications.

17. Chief Fire Officer (Cleveland Fire Brigade)

Cleveland Fire Brigade offers the following representations regarding the development as proposed. The dead-end access routes to the proposed care home exceed 20m, therefore turning facilities should be provided in line with ADB Vol 2 para 15.10 and diagram 15.3. The dead-end access route to the proposed Local centre via Melandra Road exceeds 20m, therefore turning facilities should be provided in line with ADB Vol 2 para 15.10 and diagram 15.3.

Access and Water Supplies should meet the requirements as set out in Approved Document B Volume 2 :2019, Section B5 for buildings other than 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 18 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2. Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 2 Section B5 Table 15.2.

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system. Further comments may be made through the building regulation consultation process as required.

18. SBC Place Development Manager

Thank you for consulting with Place development on this application . The application seeks outline consent with all matters reserved except access, for convenience facilities including a food store; as well as residential care accommodation and 4 self-build plots. The comments provided are aimed to guide positive developments and we are happy to discuss the nature of our comments with the applicant. The Stockton-on-Tees Local Design Guide was adopted in March 2023 and presents an 'design process' to ensure the design response of a proposal has been robustly considered.

This process begins with a contextual analysis and site appraisal which are utilised to develop a strategic framework plan for a site. From this proposals can be developed and refined. The Local Design Guide can be viewed at Supplementary planning documents - Stockton-on-Tees Borough Council. Should the application move forward to detailed design, the following comments are provided to shape development and ensure positive outcomes:

The built form, scale, massing and materiality should be carefully considered to integrate the local centre and retirement facility into the residential setting.

The use of landscaping will soften the scheme into the setting further. It is noted that a design and access statement has been provided and establishes high level principles are addressed. It is recommended that the design and access statement is developed into the detailed stage to ensure high quality scheme is achieved, taking into account the Local Design Guide SPD.

The detailed design of the development should ensure an "outward facing" development, providing active frontages onto the surrounding streets, green spaces, and pedestrian routes.

The detailed design of development and the open space need to be considered as one comprehensive proposal.

Publicity

19. Neighbours were notified and 35 letters of objection were received from the addresses detailed below with the main objections summarised below. The full details of the objections can be viewed online at <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

- Loss of green open space will reduce the amenity value to the local community.
- Advised when purchasing this would always be open space
- The bridleway is popular with dog walkers, nature etc and this land would be affected by overuse of the public.
- The creation of retail units is not necessary given the sites proximity to other facilities
- The additional traffic created is likely to be detrimental to the area
- The proposal will create even more traffic and congestion adding to the school traffic.
- Insufficient Car Parking
- Melandra Road Unsuitable for on street parking or primary access route
- Access unsuitable for emergency services
- The retail units will lead to an increase in littering
- The change in location does not benefit local residents and instead, looks to capitalise on children spending money whilst going to and leaving school, which in itself, poses moral/ethical questions
- No requirement for apartments or nursing home
- The current plans show that the Public Bridleway will no longer be a suitable path but a road
- where are local horse riders to go?
- I could not see any lighting or landscaping proposals with the submission, soft landscaping to offset the parking areas and lighting positioning and timing would be a concern for Melandra Road residents and needs to be considered.
- Ingleby Barwick is not in need of more apartments. The council seems fixated on the younger generation but no thought is being put into the older generation. Ingleby Barwick has an aging population. Due to lack of appropriate housing for

older people residents are remaining in their larger homes. The council should be backing schemes to build bungalows or retirement communities in the area.

- Limited School Places and Lack of Services
- Loss of Privacy, overlooking and Over shadowing
- Anti social behaviour.
- The noise assessment was flawed
- The proximity of class E outlets which will include fast food / takeaway is too close to the school,
- The retail units will to an increase in littering
- No retail impact assessment has been submitted as required under NPPF §90, safeguarding concerns, including increased footfall from non-residents, loitering, and potential exposure to age-inappropriate interactions Limited School Places
- Planning Precedent - Wynyard Refusal
- a major application was refused on grounds of cumulative harm to local amenity and infrastructure, setting a relevant precedent
- Devaluation
- Lack of Consultation
- Impact on Wildlife

National Planning Policy Framework

20. 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.
21. 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.

22. National Planning Policy Framework

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

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless 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 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.

23. 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

1. The following strategic growth needs have been identified for the period 2017/18 to 2031/32, which will be met through new sustainable development and infrastructure provision that integrates positively with the natural, built and historic environment of the Borough.

Housing

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:
 - a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (as identified on the Policies Map) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include: Queens Park North, Victoria Estate, Tees Marshalling Yard and Land off Grange Road
 - b. Supporting residential development on sites within the conurbation as defined by the limits to development which comprises the main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm.
 - c. Creating a Sustainable Urban Extension to West Stockton.
 - d. Promoting major new residential development at Wynyard leading to the area becoming a sustainable settlement containing general market housing and areas of executive housing in a high-quality environment.
 - e. Supporting residential development in villages (as shown on the Policies Map) through the recognition of existing commitments and new build within the limits to development where the land is not allocated for another purpose.

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

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

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

Town Centres

10. Stockton Primary Shopping Frontage will be the main location for new retail development to 2032, whilst the wider town centre will be the main location for new leisure and evening economy uses.

11. Proposals for new town centre uses will be directed to suitable and available sites and premises in the centres within the following Town Centres Hierarchy:

12. The following locations are designated as Local Centres:

- | | |
|---------------------------------|------------------------------------|
| a. Billingham Green, Billingham | b. Mill Lane, Billingham |
| c. High Grange, Billingham | d. The Stables, Wynyard |
| e. Wolviston Court, Billingham | f. Orchard Parade, Eaglescliffe |
| g. Healaugh Park, Yarm | h. Sunningdale Drive, Eaglescliffe |
| i. Myton Way, Ingleby Barwick | j. Elm Tree Centre, Stockton |
| k. Hanover Parade, Stockton | l. Harper Parade, Stockton |
| m. High Newham Court, Stockton | n. Oxbridge Lane, Stockton |
| o. Redhill Road, Stockton | |

Should any planning application proposals for main town centre uses in edge or out-of-centre locations emerge, such proposals will be determined in accordance with the Sequential and Impact tests set out in Policy EG3 alongside prevailing national planning policy, having regard to the catchment area of the proposal.

16. Small scale convenience facilities which are intended to meet the needs of a neighbourhood will be permitted in suitable and available commercial premises in undesignated shopping parades, in accordance with Policy EG6.

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

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

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:
 - a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
 - b) Protecting and enhancing designated sites (including the Teesmouth and Cleveland Coast Special Protection Area and Ramsar) and other existing resources alongside the provision of new resources.
 - c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
 - d) Enhancing woodlands and supporting the increase of tree cover where appropriate.
 - e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.
 - f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.
 - g) Directing appropriate new development within the countryside towards existing underused buildings on a site for re-use or conversion in the first instance. Only where it has been demonstrated to the satisfaction of the local planning authority that existing underused buildings would not be appropriate for the intended use should new buildings be considered.
 - h) Supporting the conversion and re-use of buildings in the countryside where it provides development identified within Policies SD3 and SD4, and meets the following criteria:
 - i. The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding;
 - ii. Any alterations or extensions are limited in scale;
 - iii. The proposed use does not result in the fragmentation and/or severance of an agricultural land holding creating a non-viable agricultural unit; and
 - iv. Any associated outbuildings/structures are of an appropriate design and scale.
 - i) Considering development proposals within green wedges against Policy ENV6.
 - j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.
 - k) Supporting proposals within the Tees Heritage Park which seek to increase access, promote the area as a leisure and recreation destination, improve the natural environment and landscape character, protect and enhance cultural and historic assets, and, promote understanding and community involvement.
 - l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.
 - m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

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

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

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.

4. Priorities for interventions to conserve and enhance the historic environment include the conservation areas of Stockton and Yarm, assets associated with the route of the Stockton & Darlington railway of 1825, the branch line to Yarm and associated structures, and assets identified as being at risk. These assets, along with Preston Park, are also the priorities for celebrating the historic environment.

Economic Growth Policy 3 (EG3) - Protecting Centres

1. Subject to the scale and catchment of the proposal, retail (A1 use class) development will be directed to suitable and available sites and premises in defined centres, as identified on the Policies Maps, in the following sequence:

- a. Stockton Town Centre Primary Shopping Area; then,
- b. Sites within the boundaries of Stockton Town Centre; then,
- c. Sites within the ground floor shopping frontages of the District Centres; then,
- d. Sites within the boundaries of the District Centres; then,
- e. Sites on the edge of Stockton Town Centre which have the opportunity to connect to the defined Primary Shopping Area; then,
- f. Sites on the edge of the District Centres which have the opportunity to connect to the District Centre's main shopping areas or frontages; then,
- g. Sites within the Local Centres; and finally,
- h. Sustainable out-of-centre locations within the limits to development.

2. Other main town centre uses will be directed to suitable and available sites and premises in the following locations, subject to the scale and catchment of the proposal:

- a. Town and District Centres, and for office development only, Principal Office Locations; then,

- b. Sites on the edge of the Town and District Centres, which are well served by public transport and have a high likelihood of forming links with the centre; then,
 - c. Within the boundaries of the Local Centres; then,
 - d. Sustainable out-of-centre locations within the limits to development.
3. Proposals will only be supported in sequentially less preferable locations where it has been demonstrated that there are no available and suitable sites or premises in sequentially preferable locations, and that a flexible approach to scale and format has been applied.
4. Town centre use proposals on out-of-centre sites, which demonstrate that the format and scale of the development means it cannot be located in a town centre location, will be the subject of restrictive conditions to protect the future vitality and viability of the Boroughs town centres.
5. Convenience retail proposals in excess of 500 square metres (net), comparison retail proposals in excess of 1,000 square metres (net) and all other new retail development likely to have a significant adverse impact upon existing centres by virtue of its nature, location or likely turnover, will be required to submit a proportionate impact assessment. Such development will only be supported outside of the town centre hierarchy where it will not have a significant adverse impact, both individually and cumulatively, on:
- a. Existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
 - b. The vitality and viability of existing centres in the catchment area of the proposal, including local consumer choice and trade in the centre and wider centre up to five years from when the application is made (for major schemes, up to ten years from when the application is made).
6. Development proposals in out-of-centre or edge-of-centre locations for leisure uses will require an impact assessment where there is potential for the proposal to have a significant adverse impact upon either the vitality and viability of existing defined centres (including comparable facilities therein) or investment which is existing, planned or committed in town, district and local centres, by virtue of their scale, nature, format location and/or accessibility.

Economic Growth Policy 6 (EG6) - Small Scale Facilities

1. Proposals for small-scale town centre uses and hot food takeaways designed to meet a localised catchment will be directed to defined town, district and local centres first, and then if no suitable premises are available, to existing available and suitable premises in other existing shopping parades in the catchment area of the proposal.
2. Within strategic residential, and general employment developments, where no similar facilities exist within reasonable walking distance, developers should provide new shopping, service and community facilities of a scale which meet the day-to-day needs of future occupiers, subject to taking into account the range, choice and accessibility of existing local provision.
3. Support will only be given to the development of, or change of use to, small-scale (under 150sq m) town centre uses which would meet a local need outside of defined town, district, and local centres and shopping parades where they:
- a. Are of a scale and function intended to serve a localised catchment area;
 - b. Do not have a significant adverse impact upon the vitality and viability of any designated centre; and
 - c. Are situated within the limits to development.
4. Outside of town, district and local centres, development proposals for new hot-food-takeaways, betting offices or public houses, will be resisted where they result in a harmful over-concentration of those uses.

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.

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 sq m 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 CO2 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 4 (ENV4) - Reducing and Mitigating Flood Risk

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.
3. Site specific flood risk assessments will be required in accordance with national policy.
4. All development proposals will be designed to ensure that:
 - a. Opportunities are taken to mitigate the risk of flooding elsewhere;
 - b. Foul and surface water flows are separated;
 - c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and
 - d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.

5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:
 - a. To an infiltration or soak away system; then,
 - b. To a watercourse open or closed; then,
 - c. To a sewer.
6. Disposal to combined sewers should be the last resort once all other methods have been explored.
7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.
8. Within critical drainage areas or other areas identified as having particular flood risk issues the Council may:
 - a. Support reduced run-off rates.
 - b. Seek contributions, where appropriate, towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.
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.
11. To reduce the risk of flooding the Council is working in partnership with the Environment Agency to deliver a Flood Alleviation Scheme on Lustrum Beck.

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

1. The Council will protect and enhance the biodiversity and geological resources within the Borough. Development proposals will be supported where they enhance nature conservation and management, preserve the character of the natural environment and maximise opportunities for biodiversity and geological conservation particularly in or adjacent to Biodiversity Opportunity Areas in the River Tees Corridor, Teesmouth and Central Farmland Landscape Areas.
2. The Council will preserve, restore and re-create priority habitats alongside the protection and recovery of priority species.
3. Ecological networks and wildlife corridors will be protected, enhanced and extended. A principal aim will be to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats.
5. Development proposals should seek to achieve net gains in biodiversity wherever possible. It will be important for biodiversity and geodiversity to be considered at an

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

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

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

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

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

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

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

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

a. Any issues will be satisfactorily addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health and the environment; and

b. Demonstrate that development will not cause the site or the surrounding environment to become contaminated and/or unstable.

5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be

demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.

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

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

Housing Policy 1 (H1) - Housing Commitments and Allocations

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

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

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

Commitments

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

Site Location/Name	Area (ha)	Total Dwellings (approx)	Remaining Supply at April 2018
IB3 Little Maltby Farm, Low Lane	35	1155	1085

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.

7. The Council will support proposals for specialist housing, including extra care and supported housing to meet identified needs. Accommodation will seek to deliver and promote independent living.

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.

10. To widen the overall housing offer, the Council will support the delivery of custom and selfbuild housing. The Council will:

- a. Regularly monitor the demand for custom and self-build housing and assist in facilitating the delivery of land/sites, where appropriate.
- b. Encourage applicants to consider incorporating plots for custom and self-build housing within larger housing developments.

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.

6. The following are designated heritage assets:

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

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

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

Material Planning Considerations

Principle of Development

- 24. Policy SD2 of the Local Plan identifies the housing delivery requirement for Stockton Borough Council over the plan period and Policy SD3 Housing Strategy sets out the Council's approach in achieving the delivery of housing. Policy H1 recognises the site (ref. IB3) as a housing commitment.
- 25. Our five-year housing land supply position has recently been published. Revisions to national policy published on 12th December 2024 meant that the Government's methodology for calculating Local Housing Need has been amended, with a significant increase now applicable to Stockton-on-Tees Borough. Consequently, the Council is only able to demonstrate 4.33 years supply of deliverable housing sites over the period covered by this assessment.
- 26. As such, this current planning application for the approx. 60 bedspace residential care accommodation or extra care facility could represent a key benefit for the Council to assist in the five-year supply of deliverable housing land, in accordance with Policy SD3 and H1 outlined above should the scheme become an extra care facility. It should be noted that the 60 bedspaces are in outline and the proposal is to allow flexibility in the product proposed. Early Discussions have taken place with Adults Health and Wellbeing over the Council's position in terms of demand and need.
- 27. The four houses proposed are on an allocated site and therefore the Principle of this form of development is acceptable. Conditions to ensure 2 of the homes are accessible and adaptable have been recommended.
- 28. In terms of the local centre, whilst the site is located 'out of centre', Policy EG6 sub-paragraph 2, of the SBC Local Plan relates to small scale community facilities and states: "*Within strategic residential, and general employment developments, where no similar facilities exist within walking distance, developers should provide new shopping, service and community facilities of a scale which meet the day-to-day needs*

of future occupiers, subject to taking into account the range, choice and accessibility of existing local provision."

29. The nearest defined Local Centre is at Ingleby Barwick located to the north-west of the Site approximately approx. 1.2km (as the crow flies) from the site. A Neighbourhood Centre at Beckfields is located approx. 0.75km to the north of the Site and also a Convenience store at the Petrol Filling station, approx. 0.25km to the south.
30. Whilst there are facilities in reasonable walking distance, the Beckfields to the north is across Bassleton Beck and the filling station to the north is a small retail convenience good facility. The application has requested a general E class which can include a wide range of services such as a hairdressers, bakery, dentists and other such uses. All of these services provide sustainable accessible services to the local community.
31. Generally, in Ingleby Barwick most 'villages' have a neighbourhood or local centre which follows the general ethos of the original master plan which stated that each village would contain its own local centre with primary school, village greens, local shops, public houses and community facilities. It is also noted that the principle of developing a local centre in this general location to support the sustainability of this housing development has already been accepted by the Planning inspectorate and granted planning consent, albeit this scheme has now expired.
32. Applying Policy EG6(2) to this Site, it is clearly located within strategic residential development (Site IB3) and in this regard the proposals would support and enhance the sustainability of the current and future planned housing development surrounding the site and help to reduce the need for people to drive out of the site to access such shops and services.
33. In view of the above, it is considered that the local centre proposals comply with the principle and objectives of Policy EG6(2) by providing new retail facilities which will support and enhance the sustainability of this residential community.
34. Paragraph 97 of the local plan states that local planning authorities should refuse applications for hot food takeaways and fast food outlets: a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour and therefore any change of use . The use class applied for is E class and not a hot food takeaway however this would include a café/restaurant such as MacDonalds and therefore a condition has been recommended to prevent the units being use for hot food takeaways and fast food outlets.
35. Overall it is considered that that the principle of the development as proposed is acceptable and there are no policy reasons to refuse the application.
36. Comments in relation the master plan are noted however this appears to be a plan provided by the housing developers to prospective purchasers and carries no weight in the determination of this application.

Impact on the character and appearance of the area

37. The application is in outline and indicative plans have been submitted to show how the site can be laid out and an indicative plan of the proposed care facility.
38. The proposed development is indicated to be a single storey retail facility, two storey residential dwellings and a 2.5 storey care facility. It is considered that these details can be considered in detail at the reserved matters stage and that a scheme can be achieved that will not adversely affect the character and appearance of the area.
39. Landscaping is shown along the main spine road and within the site and the final details can be secured in the reserved matters stage along with the comments from Cleveland Police in terms of Secure by Design.
40. Whilst this is an outline application it is considered that a scheme could be delivered that would not have a significant adverse impact on the character and appearance of the area.

Heritage and Archaeology

41. Whilst there are no designated heritage assets on the application site itself, there is a Grade II listed building located east of the application site boundary, Little Maltby Farm. The farmhouse is an early 19th-century Late Georgian farmhouse of small bricks, now whitewashed with first floor band. Ordnance The 2.5 storey care home / retirement living is proposed to be set back from The two storey Little Maltby Farm by 28m minimum and by 40m from The Haybarn.
42. Where views are available these hold significance in providing a visual connection between the farm and its former historic landscape setting. However, this has been compromised by the residential and modern developments to the north, and immediate west and south. Nonetheless, the historic setting and appearance of the farm can still be appreciated from the south and south-west. Having regard to the extent to which the setting of the farm has been altered by such development, it is considered that the harm arising from the development will be less than substantial and would not be a reason to refuse the application
43. In terms of archaeology, Tees Archaeology have considered the scheme and have recommended that further investigation take place and this has been secured by condition.

Impact on neighbours

44. The application is accompanied by an indicative master plan. These buildings are shown to be able to achieve adequate separation distances and screening in the form of landscaping which can be secured by condition.
45. The local centre could give rise to noise and disturbance and therefore a condition has been recommended to control the hours of operation along with the timing of the deliveries. With these conditions in place, it is not considered that the scheme would give rise to significant noise and disturbance.
46. Use Class E(b) includes units for food to be eaten on the premises and a condition has been recommended to control this further as this may give rise to more noise and disturbance. The proposal includes a terrace and the hours of use have been secured by condition further.

47. The houses to the north would provide natural surveillance across the open space and the positioning would not adversely affect the privacy or amenity of any neighbouring residential properties.
48. Overall it is considered that a scheme can be delivered that will not adversely affect the neighbouring residential properties

Noise

49. A noise assessment accompanies the application, and the report has shown that the proposed residential elements of the site will require alternative means of ventilation to achieve the guidance noise levels. This can be considered further at the reserved matters stage and through the building regulation process.
50. In terms of noise and disturbance from the local centre, in accordance with BS4142, indicative noise limits have been proposed for the rating noise level of external plant, and this can be controlled via condition.
51. The assessment has shown that noise impact from deliveries is expected to reside at or below the “Lowest observable adverse effect level” (LOAEL) in accordance with the PPG for Noise and Noise Policy Statement for England. Nonetheless a condition has been recommended to control the hours for deliveries.
52. The assessment for noise associated with the car parking areas found that noise is likely to result in an overall Negligible impact in both the short-term and long-term, when assessed against the respective measured baseline noise levels.
53. Environmental Health have recommended a validation report to be submitted however it is considered the condition as proposed will secure the noise mitigation once the scheme has been fully designed.
54. Overall, it is concluded that subject to the recommended mitigation measures being implemented for the proposed development, noise should not have an adverse impact.

Air Quality

55. An Air Quality Assessment accompanies the application which does indicate a high to medium risk of dust soiling impacts and a low risk of increases in particulate matter concentrations, due to unmitigated construction activities. However, through good site practice and the implementation of the recommended mitigation measures, the effects of dust and PM10 releases would be significantly reduced and considered to be not significant. A CEMP will ensure that these measures are implemented which will address the comments from the EHO.
56. In addition, based on the development traffic flows predicted to be less than 500 AADT once distributed on the local road network and low background concentrations, the Proposed Development itself will have a not significant impact on local air quality.

Traffic and Transport

57. A Transport Statement (TS) has been submitted with the application. The site is accessibly located within walking and cycling distance of nearby residential areas.

There are nearby bus stops which provide a bus services to the wider area. The TS concludes that the development proposals provide safe and suitable access arrangements for all modes.

58. The TS also concludes that the forecast trip impact associated with the development proposals will not have a significant impact on the local highway network or the SRN. It should be noted that the total forecast trip numbers will be lower than what was originally anticipated overall for the housing allocation. It is concluded that there are no highway or transportation reasons which should prevent the proposed development of the site.
59. The site is to be accessed from both Melandra Way and Welwyn Way. The accesses have been reviewed by the Highways Transport and Design Manager who considered the accesses suitable.
60. Whilst comments in relation to inconsiderate or on street parking relating to the school are noted it is not the responsibility of this developer to resolve existing issues. The indicative plans also show sufficient car parking can be achieved to serve the development and this will be considered further once the reserved matters application has been received.
61. Comments have been received in relation to the bridleway are noted however this will not change and still be available for use and 'overuse' would not be a reason to refuse the application. The proposals also include a footpath to the north to the east of the open space to link the wider residential areas.

Flood Risk

62. A flood risk assessment and drainage strategy accompany the application. Surface water runoff will mimic the existing undeveloped site but will apply QBar as the rate restriction during all events. Applying a restricted discharge rate at 6.7l/sec in this way results in a reduction from predevelopment rates during extreme rainfall events which result in flooding / flood risk. Therefore, development of the site results in a reduction in flood risk in the area.
63. The plans show a SuDS detention basin which will attenuate surface water flows prior to discharge into the adjacent watercourse. All new adoptable standard surface water drainage is to be designed in accordance with 'Sewerage Sector Guidance'. A 45% increase in rainfall due to climate change has been considered.
64. It is proposed to discharge foul flows to foul sewers. All new adoptable foul sewerage is to be designed in accordance with 'Sewerage Sector Guidance'.
65. The LLFA and NWL have reviewed the plans and raised no objections subject to conditions which have been recommended.
66. Overall, it is considered that the applicant has provided information to show that the proposed development can be implemented without increasing existing flood risk to the site and there are no objections to the development from a flood risk / drainage aspect, subject to a number of conditions which have been recommended.

Ecology and Biodiversity

67. An Ecological Impact Assessment accompanies the application and concludes that *“Based on the nature of the site no further survey work is recommended as the grassland is considered to have been heavily disturbed following its use as a storage area”*. The EclA considered the use of the site by bats, birds, GCN, badgers and other species but the site is considered to be low value to these species. The site has been used for the construction compound in the past and has been covered in spoil and is of low ecological value.
68. Whilst this is noted the EclA makes a number of standard mitigation and compensatory measure recommendations to be incorporated into the final scheme, to avoid impacts on wildlife. These recommendations will be taken forward as part of any future reserved matters application and the EclA report has been conditioned
69. The application is also accompanied by a Biodiversity Net Gain Feasibility Study which sets out the requirements to achieve a 10% biodiversity net gain. A detailed planting strategy will need to be secured at Reserved Matters stage which can help replace, mitigate and enhance any habitat lost on site. A condition has been recommended accordingly

Nutrient Neutrality

70. A Shadow Habitat Regulations Assessment (sHRA) and Nutrient Budget Calculator accompanies the application confirming 81.06 Nutrient Credits are required to mitigate the 81.06kg TN/year nutrient budget for the development.
71. These credits have been sourced from a registered third-party provider, accredited by Natural England, at their Nutrient Mitigation Site in the Tees Catchment. This will ensure the development will achieve Nutrient Neutrality.

Contaminated Land

72. The desk study for the site has revealed some localised potentially active pollutant linkages. The most notable of these is a former fuel station in the south of the site which is considered a relatively high risk potential contaminant source. The known history of the remainder of site (as farmland) indicates only a limited potential for soil contamination. No sources of ground gas have been identified by the desk study. Based on the findings of the desk study an intrusive investigation will be required. This information has been secured via condition.

Other matters

73. Concerns were raised in relation to lack of consultation however 60 neighbours were consulted, a site notice erected on Welwyn Way and advertise in the local press. It is therefore considered that sufficient consultation has been undertaken in accordance with the requirements of the General Development Procedure Order.
74. Safeguarding concerns, including increased footfall from non-residents, loitering, and potential exposure to age-inappropriate interactions in relation to the school are noted but there are many schools near business premises and this would not be a reason to refuse the application. Other legislation is available should any concerns be raised should inappropriate behaviour be witnessed. This is the same for any anti social behaviour that may occur.

75. Concerns over a loss of property value, are not a material planning consideration and carries no weight in the determination of this application.
76. Concerns over increased litter are acknowledged and appropriately worded condition in relation to refuse storage has been recommended.

Conclusion

77. In view of the considerations set out within this report, the application is recommended to Approved with Conditions.

Financial Implications

No known implications

Environmental Implications

The application will lead to short term implications during construction. Any other environmental implications which are detailed in the report can be adequately controlled by condition.

Legal Implications

No known implications

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.

Human Rights Implications

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

Ward and War Councillors

Ward	Southern Villages
Ward Councillor	Councillor Elsi Hampton

Background Papers

National Planning Policy Framework
National Planning Practice Guidance
Stockton on Tees Local Plan Adopted 2019
Application File

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