

## DELEGATED

Report to Planning Committee

9 September 2026

Report of Director of Regeneration and Inclusive Growth

### 21/0249/REM

**Tithebarns Fields, Land West Of Harrowgate Lane, Stockton-on-Tees**

**Expiry Date: 4 June 2021**

**Extension of Time Date: 30 January 2026**

#### Summary

The application site ("the Site") is located on the western side of Harrowgate Lane and extends to approximately 13.41 hectares. The Site has an approximately L-shaped form and is identified as Zone C within the West Stockton Sustainable Urban Extension (WSSUE).

This application is seeking reserved matters for the appearance, landscaping, layout and scale for residential development comprising 230 dwellings for phase 1, 2 and 3.

The Site forms part of the West Stockton Strategic Urban Extension, a key housing growth area identified within the adopted Local Plan. The principle of residential development has therefore already been established and accepted through the development plan framework. Although the proposal would increase the number of dwellings delivered within this part of the WSSUE, no material planning considerations have been identified that would preclude the increase in unit numbers. The increased housing provision within the context of an allocated site is considered to represent a meaningful contribution to the Councils Housing Land Supply.

In terms of design and layout, the proposed development is considered acceptable in respect of its appearance, scale and site arrangement. Assessment of the supporting information indicates that the additional dwellings can be accommodated without giving rise to unacceptable technical impacts, including in relation to highway capacity.

Given the integrated nature of the wider development proposals across the WSSUE and in the interests of completeness, this application is being presented alongside applications 21/2130/FUL and 21/1599/REM.

Subject to securing the necessary contribution and through the implementation of the recommended conditions the proposal is considered acceptable in planning terms. Members are therefore requested to support the application.

#### Recommendations

That members be minded to approve planning application 21/0249/REM in accordance with the following conditions and s106 HoTs or such other conditions or HoTs as the Planning Services Manager deems necessary;

#### 01 Approved Plans

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

**Plan Reference Number**

**Date Received**

|                        |                 |
|------------------------|-----------------|
| 500-005                | 22 April 2024   |
| 504-006                | 22 April 2024   |
| 505-006                | 22 April 2024   |
| 510-002                | 22 April 2024   |
| 510-003                | 22 April 2024   |
| 510-004                | 22 April 2024   |
| ASK/END/0-001 REV A    | 22 April 2024   |
| ASK/END/0-002 REV A    | 22 April 2024   |
| ASK/MID/0-001 REV A    | 22 April 2024   |
| ASK/MID/0-002 REV A    | 22 April 2024   |
| B3/0-001 REV A         | 22 April 2024   |
| B3/0-002 REV A         | 22 April 2024   |
| B3/END/0-001 REV A     | 22 April 2024   |
| B3/END/0-002 REV A     | 22 April 2024   |
| BAI/0-001 REV A        | 22 April 2024   |
| BAI/0-001 REV A        | 22 April 2024   |
| BAI/0-002 REV A        | 22 April 2024   |
| BAI/0-002 REV A        | 22 April 2024   |
| CAD/0-001 REV A        | 22 April 2024   |
| CAD/0-002 REV A        | 22 April 2024   |
| DAL/0-001 REV A        | 22 April 2024   |
| DAL/0-002 REV A        | 22 April 2024   |
| E2.1/END/0-001.5 REV A | 22 April 2024   |
| E2.1/MID/0-001.5 REV A | 22 April 2024   |
| E2.1/MID/0-002.5 REV A | 22 April 2024   |
| E2.1/MID/0-002.5 REV A | 22 April 2024   |
| EAS/END/0-001.5 REV A  | 22 April 2024   |
| EAS/END/0-002.5 REV A  | 22 April 2024   |
| EAS/MID/0-001.5 REV A  | 22 April 2024   |
| EAS/MID/0-002.5 REV A  | 22 April 2024   |
| FER/END/0-001 REV B    | 22 April 2024   |
| FER/END/0-002 REV A    | 22 April 2024   |
| HOR/0-001 REV A        | 22 April 2024   |
| HOR/0-002 REV A        | 22 April 2024   |
| LEY/DET/0-001 REV A    | 22 April 2024   |
| LEY/DET/0-002 REV A    | 22 April 2024   |
| OAK/0-001 REV A        | 22 April 2024   |
| OAK/0-002 REV A        | 22 April 2024   |
| RIP/END/0-001.5 REV A  | 22 April 2024   |
| RIP/END/0-001.5 REV A  | 22 April 2024   |
| RIP/END/0-002.5 REV A  | 22 April 2024   |
| SAL/END/0-001.5 A      | 22 April 2024   |
| SAL/END/0-001.5 A      | 22 April 2024   |
| SAL/END/0-002.5 REV A  | 22 April 2024   |
| SAL/END/0-002.5 REV A  | 22 April 2024   |
| SAL/MID/0-001.5 A      | 22 April 2024   |
| SAL/MID/0-002.2 REV A  | 22 April 2024   |
| WEN/0-001 A            | 22 April 2024   |
| WEN/0-002 A            | 22 April 2024   |
| 5205-101 Rev A         | 8 November 2024 |
| 5205 – 200 Rev C       | 21 January 2025 |
| 5205 – 250 Rev B       | 21 January 2025 |
| 5205 – 201 Rev B       | 21 January 2025 |

Reason: To define the consent.

## **02 NWL Drainage**

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

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

## **03 Discharge of Surface Water**

The development hereby approved shall not be commenced on site, until a scheme for 'the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, the scheme shall include but not be restricted to providing the following details;

- I. Detailed design of the surface water management system; (for each phase of the development).
- II. Detailed overland flow management assessment & Integration with Adoptable Drainage Network
- III. Finished Floor Levels (FFLs) – Minimum finished floor levels shall be set based on the development's post-construction flood risk profile, including critical water levels arising from the 1 in 100-year event plus 40% climate change allowance, with a suitable freeboard applied.
- IV. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- V. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- VI. Details of adoption responsibilities

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

## **04 Watercourse Assessment**

No development shall commence until a detailed surface water drainage strategy has been submitted to and approved in writing by the local planning authority. The strategy shall address the following concerns and provide supporting evidence to ensure the proposed development does not increase flood risk within or beyond the site boundary:

- I. Hydraulic Performance of Overland Flow Channels & Culverts – The developer shall provide detailed, site-specific hydraulic modelling of all proposed overland flow channels and culverts
- II. Long-Term Functionality & Erosion Mitigation
- III. Culvert Risk Assessments & Screen Initial Needs Assessment
- IV. Impounding Structures & Embankment Design Assessment

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

#### **05 Discharge of Surface Water**

The building hereby approved shall not be brought into use until:-

- I. Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said building
- II. The drawings of all Suds features have been submitted and approved in writing by the Local Planning Authority, the drawings should highlight all site levels, including the 30year and 100year+cc flood levels and confirmation of storage capacity
- III. A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development

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

#### **06 Walkover Survey**

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

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

#### **07 Mitigation Measures**

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

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

#### **08 Habitat Management Monitoring Plan**

No development shall commence until a Habitat Management and Monitoring Plan (HMMP) has been prepared in accordance with the approved Biodiversity Gain Plan and has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include: (a) a non-technical summary; (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP; (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan; (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the practical completion of the development or the first occupation of the development, whichever is the sooner; and (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.

Reason: To ensure the proposed habitat creation and/or enhancements are suitably managed and monitored to ensure development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 41 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

#### **09 Bat Check**

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

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

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

Notwithstanding the proposals detailed in the respective reports, prior to the commencement of the development hereby permitted the developer shall submit to and have approved in writing by the Local Planning Authority a Biodiversity Gain Plan. The Biodiversity Gain Plan must contain, including information about the steps that will be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and the site's pre- and post-development biodiversity value and how these gains will be incorporated within the final landscape plan as required by condition 13. The agreed works shall be implemented in accordance with the agreed details and be retained thereafter for the lifetime of the development.

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

#### **11 Construction Environment Management Plan**

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

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

#### **12 External Materials**

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

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

### **13 Landscaping Softworks**

Notwithstanding the proposals detailed in the Design and Access Statement and submitted plans, no development shall commence until full details of soft landscaping and associated maintenance has been submitted to and been approved in writing by the Local Planning Authority. Those details shall include; a detailed planting plan and specification of works (indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers); a phasing programme for the implementation of landscaping and associate maintenance; details of all existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The soft landscape maintenance details should include details of access routes to demonstrate operations can be undertaken from publicly accessible land, long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic gardens. Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

All planting works shall be in accordance with the approved plans and details and shall be implemented prior to the first planting season following competition of each identified phase of development. Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local Planning Authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season.

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

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

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

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

### **15 Trees protection**

The hereby approved development shall be carried out in complete conformity with the submitted Arboricultural Impact Assessment Arboricultural Method Statement Tree Protection Plan as received by the Local Planning Authority on 5 December 2024.

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

### **16 Light Intrusion**

Prior to the commencement of the development hereby permitted, a scheme for the protection of biodiversity, the proposed dwellings and the neighbouring premises from light



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

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

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

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

## **17 Enclosure**

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

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

## **18 Bins/ refuse**

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

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

## **19 Open Access**

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

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

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

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

Reason: To ensure that the site has adequate parking provision in accordance with the

requirements of SPD3 and in accordance with Local Plan Policy SD8 and NPPF

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

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

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

### **22 Removal of PD rights – Householder extensions and alterations**

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

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

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

### **23 Feature Squares**

Notwithstanding the proposals detailed in the Design and Access Statement and submitted plans, prior to the above ground construction full details of all hard landscape and planting works for the feature squares shall be submitted to and be approved in writing by the Local Planning Authority. These details shall include layouts; hard surfacing materials; planting details (tree/shrub types and species, stock size, numbers and densities); construction methods including tree pits; minor structures (e.g. street furniture); and, a phasing plan for implementation. The feature squares shall be implemented in full accordance with the approved details and agreed phasing plan and maintained thereafter.

Any landscaping works which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation or an alternative long term maintenance arrangement.

Reason: To enable the Local Planning Authority to satisfactorily control the development and to ensure a high standard of design in accordance with Local Plan Policy H2 and SD8 and NPPF



## **24 Renewables or Fabric First**

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

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

## **25 Building Regulations**

Prior to the commencement of above-ground construction works, details identifying those dwellings within the wider development that will be constructed to meet Building Regulation M4(2) (Category 2: Accessible and Adaptable Dwellings) shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 118 dwellings across the whole development shall be provided in accordance with the approved details and thereafter retained as such.

Reason: To ensure the provision of accessible and adaptable housing in accordance with Policy H4 of the Local Plan and the NPPF

## **Informative Reason for Planning Approval**

### De-culverting - Advice to LPA/Applicant

We are pleased to note in the submitted drainage strategy that there is reference to a potential opening of a culvert in phase 2; we appreciate that further detail of this would be provided at a later stage. In our response to outline application 14/2291/EIS, we conditioned a scheme for flood risk and surface water disposal. For clarity, the matter of surface water flood risk now falls within the remit of the Lead Local Flood Authority and therefore, we would not formally advise if this condition would be discharged when this is submitted. However, we did note in this condition it requires confirmation of the opening of any culverts across the site and that they required further investigation at detailed design.

De-culverting offers the opportunity to reduce flood risk and risk of blockages as well as provide valuable wetland/aquatic habitat and on-site biodiversity net gains. It can also greatly improve amenity and create a sense of place and identity. Further, de-culverting can reduce associated maintenance costs.

Policy ENV7 of the Stockton-On-Tees Borough Council Local Plan states surface water quality will be improved in line with the requirements of the Water Framework Directive, alongside its associated legislation, and the Northumbria River Basin Management Plan. This policy further states that to improve the quality of the water environment the Council will support the improvement and naturalisation of heavily modified waterbodies including de-culverting. Through subsequent information submitted to for this site, the de-culverting should be supported and encouraged.

### Informative: Northumbrian Water

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on

our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/>

#### Informative: Designing out Crime

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

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

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

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

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

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

#### Informative Culvert Risk Assessments & Screens –

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

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

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

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

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

#### Informative Land Drainage Consents

Land Drainage Consent/s sites outside the planning process, the LLFA would like to make you aware that no works on the ordinary watercourse are permitted until a Land Drainage Consent approval has been received from the Lead Local Flood Authority. The Land Drainage consent application form and supporting information must be submitted to the LLFA for consideration. The application process will take 8 weeks for determination. Informative Management and Maintenance A Maintenance Plan and checklist must be provided in accordance with Appendix B Section 8 of the CIRIA SuDS Manual and the LLFA local requirements. The LLFA requirements are as follows;

- Details of who is responsible for the maintenance and management of all surface

water components during construction phase, including contact details, emergency contact details, expected completion date for the development, expected date the management company will commence the maintenance and management of the SuDS.

- Details of the management company responsible for the maintenance

## **Heads of Terms**

### **Nutrient Neutrality**

## **Background**

1. 14/2291/EIS Application for outline permission for residential development (340 dwellings) including access, this application was, refused December 2014, however permission was subsequently allowed, at appeal June 2016.
2. The following applications are also being presented to members of the Planning Committee and will be considered alongside this application, and are pursuant to the above parent permission.

21/1599/REM Reserved matters application for the appearance, landscaping, layout and scale for residential development comprising 110 dwellings for phase 4 and 5.

21/2130/FUL Application for the erection of 54 dwellings to include access, parking, open space and associated infrastructure

24/0336/VARY Section 73 application to vary conditions no1 (approved plan)  
14/2291/EIS - Application for outline permission for residential development (340 dwellings) including access. Approved March 2025

## **Site and Surroundings**

3. The application site, hereby referred to as the Site, is located to the western edge of Harrowgate Lane, its 13.41 ha form somewhat of an 'L' shape. It is referred to as Zone C within the West Stockton Sustainable Urban Extension.
4. The majority of the site is cropped arable land with small areas of semi-improved and improved rough grassland. The site is undulating in nature and has a partially culverted natural watercourse flows under part of the site to join a deeply incised semi natural drainage ditch. This watercourse then flows under the eastern part of the site under Harrowgate Lane where it flows into Hardwick Dene and Elm Tree Woods Nature Reserve and becomes a tributary of Lustrum Beck.
5. Outwood Academy borders the northern and north eastern boundary. The Site adjoins Zone A to the north, which benefits from planning permission and the western boundary adjoining Zone B and the safeguarded land which also forms the southern boundary.

## **Proposal**

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

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

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

## Consultations

8. Northern Gas Networks

No Objection

9. Chief Fire Officer (Cleveland Fire Brigade)

Cleveland Fire Brigade offers the following representations regarding the development as proposed. It should be confirmed that 'shared driveways' and 'emergency turning head' areas meet the minimum carrying capacity requirements as per ADB Vol 1, Section B5: Table 13.1, and in line with the advice provided regarding the CARP, below.

Plots 18 - 20, 21 - 24, 30 - 34, 133 - 136, 183 - 186, 204 - 206 and 207 - 209 will need to meet the requirements as stated above.

Access and Water Supplies should meet the requirements as set out in Approved Document B, Volume 1: 2019, Section B5 for Dwellings.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes.

This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1.

Further comments may be made through the Building Regulations consultation process as required.

10. The Environment Agency

We have no objection to this reserved matters application for the appearance, landscaping, layout and scale for phases 1, 2 and 3 of the proposed development. We have no additional comments to make on this proposal..

11. Highways England Company Limited

Thank you for reconsulting with us regarding this reserved matters application. Since our previous recommendation of no-objection (dated 17 March 2021) we note that a number of changes have been made to the application. We would, however, state that we do not consider these changes to be material and as such, our previous recommendation of no objection is withstanding."

12. NHS

I am writing in response to the above planning application currently being evaluated by you Please see below for the required contribution to healthcare should the scheme be approved. Local surgeries are part of CCG wide plans to improve GP access and would be the likely beneficiaries of any S106 funds secured. Local GP Practices are keen to maintain/improve their access, and an increase in patient numbers may require adjustments to existing premises/access methods. Please be advised that we would be unable to guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers.

In calculating developer contributions, we use the Premises Maxima guidance which is available publicly. This assumes a population growth rate of 2.3 people per new dwelling and we link this increase to the nearest practice to the development, for ease of calculation. We use the NHS Property Service build cost rate of £3,000 per square metre to calculate the total financial requirement.

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

| Item                                                                                                                 | Response                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LA Planning References                                                                                               | 21/0249/REM                                                                                                                                                                                                                                                                         |
| GP Practices affected                                                                                                | The Dovecot Surgery<br>The Densham Surgery                                                                                                                                                                                                                                          |
| Local intelligence                                                                                                   | These practices fall within the Stockton Primary Care Network which is at full capacity with regards to space requirements to deliver services to their patient list size. \$106 funding would support creating extra capacity for them to provide appropriate services to patients |
| Number of Houses proposed                                                                                            | 230                                                                                                                                                                                                                                                                                 |
| Housing impact calculation                                                                                           | 2.3                                                                                                                                                                                                                                                                                 |
| Patient Impact (increase)                                                                                            | 529                                                                                                                                                                                                                                                                                 |
| Maxima Multiplier                                                                                                    | 0.07                                                                                                                                                                                                                                                                                |
| Additional m <sup>2</sup> required<br>(increase in list x Maxima Multiplier)                                         | 37.03 m <sup>2</sup>                                                                                                                                                                                                                                                                |
| <b>Total Proposed Contribution £</b><br>(Additional m <sup>2</sup> x £3kpm <sup>2</sup> , based on NHSPS build cost) | <b>£111,090</b>                                                                                                                                                                                                                                                                     |

13. Cleveland Police

Security is very important at the outset, particularly for buildings of this type. There are many crimes that occur during the construction phase; the most significant include theft of plant equipment, materials and tools. Since the original application, the Secured by Design criteria for new homes has been updated here - HOMES 2024.pdf (securedbydesign.com) Happy to discuss with the developer, the process for the Secured by Design Award (which is available free of charge) and/or any security concerns that they may have.

14. SBC Housing Services Manager

The overall Affordable Housing Offer for the revised development of 395 dwellings in total (revised down from 417). To fully appraise the three applications I need an Affordable Housing Statement to be submitted to Strategic Housing for consideration and approval before the scheme commences. The Affordable Housing Statement needs to include the following detail;  
Identification of the location, size, tenure and property type of each of the Affordable Housing dwellings including which phases they fall within and anticipated completion date of each (this will be subject to quarterly monitoring returns). This can best be demonstrated on a colour coded Masterplan map.

There is an expectation that Affordable dwellings will be suitably dispersed (clusters of no more than 4-6 dwellings in a single location) throughout the overall site and throughout phases of development and that the Affordable dwellings offered and proportionate to the overall housing offer for the site i.e. not limited to one or two property types if the site offers more choice.

Early identification and confirmation of any preferred or appointed Registered Provider partner and an adoption of the Tees Valley Homefinder policy for the allocation of all Affordable dwellings.

Confirmation of any service charges related to the Affordable dwellings, for example maintenance of open space or the two proposed attenuation basins.

Confirmation of any sale prices and rental values connected to the Affordable Housing to ensure that it remains affordable and accessible to local targeted housing markets and consumers.

An Affordable Housing offer that mirrors and conforms to the Affordable Housing SPD 2021 and provision of 20% of Affordable Housing in accordance with the policy on an indicative 70:30, Affordable Rented : Intermediate Affordable ratio.

Strategic Housing (alan.glew@stockton.gov.uk) are happy to engage in dialogue directly with the Developer or their appointed representatives should any element of the advice be unclear.

15. Tees Archaeology

Thank you for the consultation on this reserved matters application. The site has previously been evaluated and was found to be of low archaeological potential. No further archaeological work is required.

16. Campaign To Protection Rural England

I note this is an application in respect of Reserved Matters. While design of course is important, I do not think we commented on the original application and so am content to leave this to your discretion

17. Ineos Manufacturing Scotland

Please note the planning application above will not affect SABIC/INEOS high pressure ethylene pipeline apparatus.

18. Northumbrian Water Limited

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/> We can confirm that a pre-planning enquiry was submitted to us by this applicant requesting allowable discharge rates and connection points into the public sewer for the proposed development. Our response confirmed that phases 1, 2 and 3 of the development could have a connection of 23l/s into the surface water sewer via manhole 1601 and that foul flows could connect at manhole 2601. The engineering drawing submitted with the application entitled Engineering Strategy Revision D dated 04/03/2024 shows the correct connections to these manholes, however the proposed flow of surface water to 1601 is higher than we advised at 54.8l/s. We therefore request clarification of the agreed surface water discharge rate as there may have been further discussion and agreement between the LLFA and applicant. In the interim we request the following condition:



19. Sport England  
Sport England has reviewed the ball-strike risk assessment and its understanding of where a playing pitch is set out on this part of the playing field. The assessment concludes there is no risk of ball-strike and on this basis Sport England wishes to withdraw its objection to this application.
20. Durham County Badger Group  
Further to your request for comments 24/4/24. We have no additional comments and note retained and improved hedgerow through the middle of site and areas of grass which I assume will not be developed.
21. Environmental Health Unit  
I have checked the updated documentation provided, especially the details within the Noise Impact Assessment for Avant Homes Ref: NIA-11350-24-11654-V1 and I am happy with their assessment regarding the noise attenuation from the traffic noise, the proposed use of acoustic mitigation within the windows of the onlooking properties and the use of acoustic fencing. I am happy that they have continued the assessment for the 63 & 125 Hz. I would however, wish to have a validation of their achieved results to ensure that paragraph 6.1.4 is completed.
22. 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 and Cleveland Coast Special Protection Area [HTTPS://designatedsites.naturalengland.org.uk/](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 options should be secured:  
Conversion of 13.71ha of cereals land to 13.71ha of greenspace to secure nutrient neutrality in perpetuity.  
Submission of a Habitat Management Monitoring Plan.  
We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.  
Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.
23. National Grid  
Regarding planning application 21/0249/REM, National Grid Electricity Transmission have no objection to the application that is nearby to our overhead lines.
24. Teesmouth Bird Club  
The applicant's ecological appraisal of the breeding bird population present on the site makes reference to the likelihood of Grey Partridge and Skylark occurring. In addition to these two Species of Concern - Red Category, we would like to add a third - Yellowhammer. The high density of houses proposed leaves no scope to provide mitigation measures for these species.  
As an alternative, we request that appropriate measures be taken to use the houses themselves to provide mitigation. This should be by installing, during the construction processes, bespoke nesting cavities for other Red Category Species like Swift, House Sparrow and even bats.

Other developers successfully incorporate such S-Bricks at a cost of ~ £30 each. We recommend a minimum of 70 to be fitted on gable ends at an elevated position. If their ecology consultant is unfamiliar with the bricks or their optimum positioning, then the club can advise.

25. SBC Place Development Manager

Place development has outlined the following comments regarding outstanding issues with the development layout.

Clarity sought on the proposed landscape hatched purple on the section shown below (at the northern boundary of site). Not annotated in Key. Square 1

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

Square 3 (central node) The layout of public realm is much improved and provides a focal point to the development. An existing feature tree in centre of this area is to be retained. It is understood that this tree is an Ash tree, confirmation is required as to whether this tree needs to be removed due to ash die back; if this is the case a replacement tree will be required.

Trim trail route is spaced too far apart to be used collectively. The applicant is advised to review the position of the trim trail to be closer together along the trail (towards node). Detail is sought on the "sculpture artwork" noted in the square design unless the intention is to condition the detail of this aspect

26. Principal Tree and Woodland Officer

I went to the site, and the original 2024 still stands as a good account of the trees as their conditions haven't changed or worsened. What has changed though is that there is profuse self seeding of small willow trees across the site, which at the moment are resembling shrubs that have populated the area quite densely. Being a fast growing species these either weren't there or were much smaller back in 2024.

Square 3 (central node) The layout of public realm is much improved and provides a focal point to the development. An existing feature tree in centre of this area is to be retained. It is understood that this tree is an Ash tree, confirmation is required as to whether this tree needs to be removed due to ash die back; if this is the case a replacement tree will be required.

The ash dieback that I saw I didn't consider to be detrimental in fact the trees are proving to be quite resilient, so I don't think the tree has declined to the stage where it could not be retained as a feature and the resilience of them is promising

Lead Local Flood Authority

The applicant has provided sufficient information to satisfy the Lead Local 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

27. Highways Transport and Design Manager

### **General Summary**

The Highways Transport and Design Manager raises no issues with the proposals.

### **Highways Comments**

A proposed site layout, drawing 5205 – 201 Rev B, and various house type layouts have been submitted in support of the proposals.

The site layout is broadly in accordance with the Councils design guide and parking has been provided in accordance with SPD3: Parking Provision for Developments 2011.

There are no highways objections to the proposals.

## **Publicity**

28. Neighbours were notified by individual letters and wider publicity has been given via press advert and site notice. 17 Letters of objection has been received
- Numerous local residents have raised concerns about existing traffic congestion in Bishopsgarth, Harrogate Lane, Durham Road and around the Tesco roundabout.
  - There is a consistent view that the local road network is already operating at or near capacity, particularly during peak commuting and school times.
  - Residents report that Bishopsgarth, Hardwick and Leam Lane are increasingly used as cut-through routes to avoid congestion on Harrogate Lane.
  - Concerns have been raised about flooding and surface water drainage, with residents noting that the site currently acts as open land capable of absorbing rainfall.
  - Many objections refer to the loss of greenfield land, agricultural land and wildlife habitat, particularly given the significant housing development that has already taken place in West Stockton.
  - Residents believe local infrastructure has not kept pace with recent housing growth, citing pressures on GP services, dentists, schools, roads and local facilities.
  - There are concerns regarding the cumulative impact of multiple developments already approved and occupied in the area, particularly Summerville Farm and other recent schemes.
  - Local residents have expressed concerns regarding increased traffic, noise, pollution and impacts on residential amenity and that traffic conditions have steadily worsened with each new development.
  - There is a strong perception amongst residents that further housing should not be approved until infrastructure improvements are delivered.

## **Planning Policy Considerations**

29. 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.

30. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

### **National Planning Policy Framework**

31. The purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. 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 (paragraph 17).
32. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies in the Framework are a material consideration in making decisions and should be read alongside the policies in the development plan.
33. Planning decisions must also reflect relevant international obligations and statutory requirements, as must the preparation of development plans
34. The national decision-making policies should be read as a whole (including relevant footnotes and annexes). Some of these policies indicate how much weight the government would expect a particular consideration to be given, including cases where it is appropriate to give substantial weight to certain benefits, and the limited circumstances in which it is expected that permission would be refused.
35. The relevant policies are considered throughout the report.

DM3, DM5, DM6, DM7 and DM10 – Decision Making Policies  
S3 and S4, Achieving Sustainable Development  
CC2 and CC3 Meeting the challenge of climate change  
H05, H07, H08, and H013 Delivering a sufficient supply of homes  
L2 and L3 Making effective use of land  
DP2, DP3 and DP4 Achieving well designed places  
TR4, TR6, - 8 Promoting sustainable Transport  
P2, P3 and P5 Pollution, public protection and security  
F4, F7 and F8 Managing Flood risk and coastal change  
N2, N3 and N6 Conserving and enhancing the natural environment  
HE5 Conserving and enhancing the historic environment

### **Local Planning Policy**

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

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

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

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

2. To meet the housing requirement of 10,150 new homes over the plan period a minimum of:
    - a. 720 dwellings (net) will be delivered per annum from 2017/18 to 2021/22.
    - b. 655 dwellings (net) will be delivered per annum from 2022/23 to 2031/32.
  3. The Strategic Housing Market Assessment for Stockton-on-Tees Borough identifies that there are specific needs with regard to housing type and tenure. This includes delivering homes to meet the needs of the ageing population.
- Other Development Needs
7. Where other needs are identified, new developments will be encouraged to meet that need in the most sustainable locations having regard to relevant policies within the Local Plan.

### **Strategic Development Strategy Policy 3 (SD3) - Housing Strategy**

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land. Should it become apparent that a five year supply of deliverable housing land cannot be identified at any point within the plan period, or delivery is consistently falling below the housing requirement, the Council will work with landowners, the development industry and relevant stakeholders and take appropriate action in seeking to address any shortfall.
2. The following are priorities for the Council:
  - a. Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision; this includes the provision of housing to meet the needs of the ageing population and those with specific needs.
  - b. Providing accommodation that is affordable.
  - c. Providing opportunities for custom, self-build and small and medium sized house builders.
3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through:

c. Creating a Sustainable Urban Extension to West Stockton.

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

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

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:
  - a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
  - c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
  - j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.
  - l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.
  - m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.
2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including
  - a. Directing development in accordance with Policies SD3 and SD4.
  - b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.
  - c. Supporting sustainable water management within development proposals.
  - d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.
  - e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.
  - f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.
  - g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.
  - h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.
3. Conserve and enhance the historic environment through a variety of methods including:
  - a. Celebrating, promoting and enabling access, where appropriate, to the historic environment.
  - b. Ensuring monitoring of the historic environment is regularly undertaken.
  - c. Intervening to enhance the historic environment especially where heritage assets are identified as being at risk.
  - d. Supporting proposals which positively respond to and enhance heritage assets.
  - e. Recognising the area's industrial heritage, including early history, railway and



engineering heritage and the area's World War II contribution.

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

1. To provide realistic alternatives to the private car, the Council will work with partners to deliver a sustainable transport network. This will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users, and to local services, facilities and local amenities.
2. To ensure the road network is safe and there are reliable journey times, the Council will prioritise and deliver targeted improvements at key points on the local road network and work in conjunction with Highways England to deliver improvements at priority strategic locations on the strategic road network.
3. The Council will work with partners to deliver community infrastructure within the neighbourhoods they serve. Priority will be given to the provision of facilities that contribute towards sustainable communities, in particular the growing populations at Ingleby Barwick, Yarm, Eaglescliffe, Wynyard Sustainable Settlement and West Stockton Sustainable Urban Extension.
4. To ensure residents needs for community infrastructure are met, where the requirement is fully justified and necessary, the Council will support planning applications which:
  - a. Provide for the expansion and delivery of education and training facilities.
  - b. Provide and improve health facilities.
  - c. Provide opportunities to widen the Borough's cultural, sport, recreation and leisure offer.
5. Proposals will be encouraged where they provide for the expansion of communications networks, including telecommunications and high speed broadband; especially where this addresses gaps in coverage.

#### **Strategic Development Strategy Policy 7 (SD7) - Infrastructure Delivery and Viability**

1. The Council will ensure appropriate infrastructure is delivered when it is required so it can support new development. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of infrastructure provision. The Council will also work together with other public sector organisations, within and beyond the Borough, to achieve funding for other necessary items of infrastructure.
2. New development will be required to contribute to infrastructure provision to meet the impact of that growth through the use of planning obligations and other means including the Community Infrastructure Levy (CIL). Planning obligations will be sought where:
  - a. It is not possible to address unacceptable impacts through the use of a condition; and,
  - b. The contributions are:
    - i Necessary to make the development acceptable in planning terms;
    - ii Directly related to the development; and
    - iii Fairly and reasonably related in scale and kind to the development.
3. Where the economic viability of a new development is such that it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it, applicants will need to provide robust evidence of the viability of the proposal to demonstrate this. In these circumstances, the Council may:
  - a. Enter negotiations with the applicant over a suitable contribution towards the infrastructure costs of the proposed development, whilst continuing to enable viable and sustainable development; and/or

b. Consider alternative phasing, through the development period, of any contributions where to do so would sufficiently improve the economic viability of the scheme to enable payment.

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

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

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
  - b. Landscape character of the area, including the contribution made by existing trees and landscaping;
  - c. Need to protect and enhance ecological and green infrastructure networks and assets;
  - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
  - e. Privacy and amenity of all existing and future occupants of land and buildings;
  - f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
  - g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
  - h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.
2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

Housing Policy 1 (H1) - Housing Commitments and Allocations

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

c. West Stockton Sustainable Urban Extension.

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

West Stockton Sustainable Urban Extension

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

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

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

b. West Stockton SUE 'Reserve Land' 19.6 400

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

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

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

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

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

1. Approximately 2,550 new homes (including 2,150 homes on allocated land and 400 homes on the 'reserve land').
2. A new primary school at the northern end of the Yarm Back Lane component of the SUE.
3. A community hub, comprising a shopping parade and community centre at the southern end of the Harrowgate Lane component of the SUE subject to the requirements of Policies SD6(3) and EG6(2).
4. Highway junction improvements at the following locations:
  - a. Elton Interchange.
  - b. Darlington Back Lane and Yarm Back Lane.
  - c. Horse and Jockey Roundabout (Durham Road, Junction Road and Harrowgate Lane).
  - d. Harrowgate Lane and Leam Lane.
5. A range of homes including affordable housing in accordance with Policy H4.
6. Green infrastructure and open space in accordance with ENV6.
7. A scheme with its own identity, informed by Design Codes for each Development Zone, detailing important design elements to ensure a consistent approach to quality standards.
8. A clearly defined street hierarchy and accessible, convenient and safe routes for pedestrians, cyclists and other users; this will include:
  - a. Improved linkages to the existing settlement.
  - b. Linkages to and enhancements of Castle Eden Walkway.
  - c. The provision of routes for north-south movement within and along the western extent of the site.
  - d. Improved connectivity along Harrowgate Lane.
9. A layout which facilitates delivery of the 'reserve land' allowing it to integrate into the wider street hierarchy, accessible routes and green infrastructure.
10. A scheme which avoids unacceptable harm to and maximises possible enhancements to the significance of heritage assets.

Each phase of development or proposals for each Development Zone as illustrated on Figure 14, must contribute equitably to the delivery of the SUE including all necessary services, facilities and planning obligations. On the allocated land, one planning application will be supported per Development Zone unless it can be demonstrated that shared infrastructure can be delivered by an alternative method that will not prejudice the delivery of the SUE.

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

- a. An equal distribution of the 2,150 new homes on the allocated land based on the land area of each application;
- b. Contributions towards shared infrastructure on a proportionate basis per new dwelling proposed; and

c. Where it is necessary for individual applications to provide increased contributions to frontload the delivery of infrastructure, a mechanism to ensure that contributions are recouped from later phases of development to ensure each application has contributed proportionately to the delivery of the SUE.

12. Development proposals which come forward prior to, or without an agreed phasing and

delivery schedule for each phase or Development Zone will be refused.

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

a. no residential development will be permitted on the 'reserve land'; and

b. the number of new homes on allocated land will be restricted to 2,150 unless it can be demonstrated in highway terms that additional homes can be provided without prejudicing the ability for the wider allocated land to deliver homes in accordance with the equal distribution detailed within point 11(a) of this policy.

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

#### Housing Policy 4 (H4) - Meeting Housing Needs

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of appropriate sizes, types and tenures which reflects local needs and demand, having regard to the Strategic Housing Market Assessment, its successor documents or appropriate supporting documents.

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

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

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

5. Affordable housing will normally be provided on-site as part of, and integrated within housing development to help deliver balanced communities. This provision should be distributed across sites in small clusters of dwellings. Off-site affordable housing or a commuted sum will only be acceptable where:

a. All options for securing on-site provision of affordable housing have been explored and exhausted; or

b. The proposal is for exclusively executive housing, where off-site provision would have wider sustainability benefits and contribute towards the creation of sustainable, inclusive and mixed communities; or

c. The proposal involves a conversion of a building which is not able to accommodate units of the size and type required; or

d. Any other circumstances where off-site provision is more appropriate than on-site provision.

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

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

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

#### Transport and Infrastructure Policy 1 (TI1) - Transport Infrastructure Delivering A Sustainable Transport Network

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

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

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

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

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

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

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

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

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

- a. Strategic road network:
  - i. A66 (including A66 Elton Interchange);



- ii. A19 Widening Norton to A689 (route safeguarded);
- iii. A19/A689 Interchange; and
- iv. A19/A67 Interchange (Crathorne).
- b. Local road network:
  - i. Junctions associated with the West Stockton Sustainable Urban Extension;
    - 1. Darlington Back Lane and Yarm Back Lane junction.
    - 2. Horse and Jockey Roundabout (Durham Road, Junction Road and Harrowgate Lane).
    - 3. Harrowgate Lane and Leam Lane.
  - ii. Junction of A1027, Junction Road and Norton High Street, Stockton; and
  - iii. Junction of Durham Road, A1027 and Bishopton Avenue, Stockton.
  - iv. A689 at Wynyard:
- 8. The Council and its partners will support the development of the Key Route Network which through continual assessment of the strategic and local road network, will help identify and ensure appropriate improvements are delivered.
- New Development
- 10. Existing sustainable transport and public transport infrastructure will be protected from development which would impair its function or attractiveness to users.
- 11. To assist consideration of transport impacts, improve accessibility and safety for all modes of travel associated with development proposals, the Council will require, as appropriate, a Transport Statement or Transport Assessment and a Travel Plan.
- 12. The Council and its partners will seek to ensure that all new development, where appropriate, which generate significant movements are located where the need to travel can be minimised, where practical gives priority to pedestrian and cycle movements, provides access to high quality public transport facilities and offers prospective residents and/or users with genuine sustainable transport options. This will be achieved by seeking to ensure that:
  - a. Transport choices are widened and the use of sustainable transport modes are maximised. New developments provide access to existing sustainable and public transport networks and hubs. Where appropriate, networks are extended and new hubs created. When considering how best to serve new developments, measures make best use of capacity on existing bus services before proposing new services and consideration is given to increasing the frequency of existing services or providing feeder services within the main network.
  - b. Suitable access is provided for all people, including those with disabilities, to all modes of transport.
  - c. Sufficient accessible, and convenient operational and non-operational parking for vehicles and cycles is provided, and where practicable, incorporates facilities for charging plug-in and other ultra-low emission vehicles. Any new or revised parking provision is of sufficient size and of a layout to facilitate it's safe and efficient operation.
  - d. Appropriate infrastructure is provided which supports Travel Demand Management to reduce travel by the private car and incentivises the use of sustainable transport options.
  - e. New development incorporates safe and secure layouts which minimises conflict between traffic, cyclists or pedestrians.
- 13. The Council's approach to transport infrastructure provision is set out in Policy SD7.

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

- 1. There is a need to ensure that community infrastructure is delivered and protected to meet the needs of the growing population within the Borough. To ensure



community infrastructure meets the education, cultural, social, leisure/recreation and health needs of all sections of the local community, the Council will:

- a. Protect, maintain and improve existing community infrastructure where appropriate and practicable;
  - b. Work with partners to ensure existing deficiencies are addressed; and
  - c. Require the provision of new community infrastructure alongside new development in accordance with Policy SD7.
4. To ensure needs for community infrastructure are met, the Council will:
- a. Support opportunities to widen the cultural, sport, recreation and leisure offer;
  - b. Support proposals of education, training and health care providers to meet the needs of communities;
  - c. Encourage the multi-purpose use of facilities to provide a range of services and facilities within one accessible location;
5. Community Infrastructure is to be delivered alongside residential development at the West Stockton Sustainable Urban Extension and Wynyard Sustainable Settlement in accordance with Policies H2 and H3 to ensure the creation of sustainable communities.

#### Transport and Infrastructure Policy 3 (TI3) - Communications Infrastructure

1. The Council supports the expansion of communications networks, including telecommunications and high speed broadband; especially where this addresses gaps in coverage.
4. When considering applications for telecommunications development, the Council will have regard to the operational requirements of communications networks and the technical limitations of the technology.
7. Developers should demonstrate how proposals for new homes, employment or main town centre uses will contribute to and be compatible with local fibre and internet connectivity.
8. Taking into consideration viability, the Council require developers of new homes, employment or main town centre uses to deliver, as a minimum, on-site infrastructure including open access ducting to industry standards, to enable new premises and homes to be directly served by local fibre and internet connectivity. This on-site infrastructure should be provided from homes and premises to the public highway or other location justified as part of the planning application. Where possible, viable and desirable, the provision of additional ducting will be supported where it allows the expansion of the network.

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

1. The Council will encourage all development to minimise the effects of climate change through meeting the highest possible environmental standards during construction and occupation. The Council will:
  - a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:
    - i. Energy reduction through 'smart' heating and lighting, behavioural changes, and use of passive design measures; then,
    - ii. Energy efficiency through better insulation and efficient appliances; then,
    - iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then
    - iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then
    - v. Conventional energy.

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

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

2. Proposals are encouraged where development:

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

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

Domestic

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

a. Submit an energy statement identifying the predicted energy consumption and associated CO<sub>2</sub> emissions of the development and demonstrating how the energy hierarchy has been applied to make the fullest contribution to greenhouse gas emissions reduction; and

b. Achieve a 10% reduction in CO<sub>2</sub> emissions over and above current building regulations. Where this is not achieved, development will be required to provide at least 10% of the total predicted energy requirements of the development from renewable energy sources, either on site or in the locality of the development.

Non domestic

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

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

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

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

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

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

The Council encourages and supports:

a. The local production of energy from renewable and low carbon sources to help to reduce carbon emissions and contribute towards the achievement of renewable energy targets; and

b. Community energy schemes that reduce, manage and generate energy to bring benefits to the local community.

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

1. The Council will promote and support decentralised energy such as District Heat and Power Networks by:

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

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

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.
2. Development on land in Flood Zones 2 or 3 will only be permitted following:
  - a. The successful completion of the Sequential and Exception Tests (where required); and
  - b. A site specific flood risk assessment, demonstrating development will be safe over the lifetime of the development, including access and egress, without increasing flood risk elsewhere and where possible reducing flood risk overall.
3. Site specific flood risk assessments will be required in accordance with national policy.
4. All development proposals will be designed to ensure that:
  - a. Opportunities are taken to mitigate the risk of flooding elsewhere;
  - b. Foul and surface water flows are separated;
  - c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and
  - d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.
5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:
  - a. To an infiltration or soak away system; then,
  - b. To a watercourse open or closed; then,
  - c. To a sewer.
6. Disposal to combined sewers should be the last resort once all other methods have been explored.
7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.
9. Sustainable Drainage Systems (SuDS) should be provided on major development (residential development comprising 10 dwellings or more and other equivalent

commercial development) unless demonstrated to be inappropriate. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance.

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

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

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

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

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

5. Development proposals should seek to achieve net gains in biodiversity wherever possible. It will be important for biodiversity and geodiversity to be considered at an early stage in the design process so that harm can be avoided and wherever possible enhancement achieved (this will be of particular importance in the redevelopment of previously developed land where areas of biodiversity should be retained and recreated alongside any remediation of any identified contamination). Detrimental impacts of development on biodiversity and geodiversity, whether individual or cumulative should be avoided. Where this is not possible, mitigation and lastly compensation, must be provided as appropriate. The Council will consider the potential for a strategic approach to biodiversity offsetting in conjunction with the Tees Valley Local Nature Partnership and in line with the above hierarchy. When proposing habitat creation it will be important to consider existing habitats and species as well as opportunities identified in the relevant Biodiversity Opportunity Areas. This will assist in ensuring proposals accord with the 'landscape scale' approach and support ecological networks.

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

#### Natural, Built and Historic Environment Policy 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

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

2. Where appropriate, development proposals will be required to make contributions towards green infrastructure having regard to standards and guidance provided within the Open Space, Recreation and Landscaping SPD or any successor. Green

infrastructure should be integrated, where practicable, into new developments. This includes new hard and soft landscaping, and other types of green infrastructure. Proposals should illustrate how the proposed development will be satisfactorily integrated into the surrounding area in a manner appropriate to the surrounding townscape and landscape setting and enhances the wider green infrastructure network.

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

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

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

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

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

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

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

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

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



5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.
6. To improve the quality of the water environment the Council will:
  - a. Support ecological improvements along riparian corridors including the retention and creation of river frontage habitats;
  - b. Avoid net loss of sensitive inter-tidal or sub-tidal habitats and support the creation of new habitats; and
  - c. Protect natural water bodies from modification, and support the improvement and naturalisation of heavily modified water bodies (including de-culverting and the removal of barriers to fish migration).

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

1. In order to promote and enhance local distinctiveness, the Council will support proposals which positively respond to and enhance heritage assets.
2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment that describes the significance of the asset(s) affected, including any contribution made by their setting. Appropriate desk-based assessment and, where necessary, field evaluation will also be required where development on a site which includes or has the potential to include heritage assets with archaeological interest. Applicants are required to detail how the proposal has been informed by assessments undertaken.
3. Development proposals should conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. Where development will lead to harm to or loss of significance of a designated or non-designated heritage asset the proposal will be considered in accordance with Policy SD8, other relevant Development Plan policies and prevailing national planning policy.
4. The loss of a heritage asset, in whole or part, will not be permitted unless the Council are satisfied that reasonable steps to ensure new development will proceed after loss has occurred.
5. Where the significance of a heritage asset is lost (wholly or in part) the Council will require developers to record and advance the understanding of the significance of the heritage asset in a manner proportionate to the importance of the asset and impact of the proposal. Recording will be required before development commences.
6. The following are designated heritage assets:
  - a. Scheduled Monuments - Castle Hill; St. Thomas a Becket's Church, Grindon; Barwick Medieval Village; Round Hill Castle Mound and Bailey; Larberry Pastures Settlement Site;  
Newsham Deserted Medieval Village; Stockton Market Cross and Yarm Bridge
  - b. Registered Parks and Gardens - Ropner Park and Wynyard Park
  - c. Conservation Areas - Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Egglescliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm
  - d. Listed Buildings
10. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to policies for designated heritage assets.



11. Where archaeological remains survive, whether designated or not, there will be a presumption in favour of their preservation in-situ. The more significant the remains, the greater the presumption will be in favour of this. The necessity for preservation in-situ will result from desk-based assessment and, where necessary, field evaluation. Where in-situ preservation is not essential or feasible, a programme of archaeological works aimed at achieving preservation by record will be required.
12. Any reports prepared as part of a development scheme will be submitted for inclusion on the Historic Environment Record.

### **Material Planning Considerations**

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

### **Principle of Development**

38. The National Planning Policy Framework (2026) sets out that the planning system should contribute towards the delivery of sustainable development which is outlined as meaning “meeting the needs of the present without compromising the ability of future generations to meet their own needs”. Achieving sustainable development also means that the planning system has three overarching objectives, which are economic, social and environmental and that at the heart of the National Planning Policy Framework is a presumption of sustainable development.
39. With regards to the policies of the Local Plan, Policy SD2 identifies a housing requirement of 10,150 dwellings across the plan period of 2017/18 to 2031/32. Policy H1 sets out the housing allocations and commitments across the plan period with the application site forming part of that allocation under H1 6(a).
40. Policy H2 providing specific detail on the West Stockton Sustainable Urban Extension (WSSUE) which allocates approximately 135 hectares for the development of approximately 2,550 new homes (400 of which would be on reserved land). The wider extension should also include a new primary school; a community hub (including shopping parade and community centre); a series of highway improvements and pedestrian/cycleway connections including those to the Castle Eden Walkway.
41. As detailed above, the application site forms part of the West Stockton SUE and is a key part of the Boroughs housing delivery across the Local Plan (as detailed in policies H1 and H2), providing 2,150 homes on allocated land of which the application site forms part of. Along with housing delivery at Wynyard, the SUE is therefore one of the key strategic sites for housing delivery under the current local plan.
42. This application proposes to deliver 230 of the proposed 394 units across the detailed and reserved matters applications which is considered to bring forward the benefits of delivering part of the housing requirement and contributing towards the delivery of the Council’s 5 year housing supply.
43. Subject to consideration of site suitability, the feasibility of meeting the standards and site viability, Policy H4 requires 50% of new homes to meet Building Regulation M4 (2) “Category 2 – accessible and adaptable dwellings” and 8% of new dwellings to

meet Building Regulation M4(3) "Category 3 – Wheelchair User Dwellings". In this instance due to the parent permission predating adoption of the Local Plan, the reserved matters applications are not subject to these requirements. However, the applicant has confirmed that whilst none of the dwellings would meet M4(3) 118 M4(2) compliant plots (30%) would be delivered across the site. This is significantly above the 27 that would be needed to satisfy the 50% associated with the full application, which seeks permission for 54 plots. This would provide a significant degree of over provision across the development as a whole. Considering the overall balance between the optional standards and the delivery of affordable homes, it is considered that in this instance the scheme as proposed is acceptable.

44. The proposed layout and associated land take are broadly consistent with the housing allocation of the WSSUE and associated masterplan, the proposals are considered to be in accordance with the requirements of policy H2 of the adopted Stockton on Tees Local Plan

#### **Affordable Housing**

45. The onsite provision of 12 affordable homes has already been secured through the parent permission S106

#### **Education**

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

#### **Health Provision**

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

#### **Economic/Social Benefits**

48. In addition, and as with all significant housing schemes they offer significant benefits through the provision of new housing and affordable housing. In addition, they support the growth of the economy through job creation both on site and within the supply chain during the construction period.
49. Additionally, the Heads of Terms within the Section 106 Agreement secure a Local Labour Agreement, which will require that 10% of the workforce is employed from the local area and that materials are sourced locally where possible.

#### **Sustainability**

50. The application site lies within the limits to development where development should generally be directed and given the location of the site adjacent to the urban area which has relatively accessible transport and footpath links, the site itself could be considered sustainable.
51. It is considered that the site is a sustainable development and the presumption in the NPPF that planning should operate to encourage and not act as an impediment to sustainable growth must be applied. Significant weight is required to be placed on the need to support economic growth through the planning system.
52. It is recognised that a benefit of the proposed development would boost the boroughs 5 year housing land supply providing both social and economic benefits. Furthermore, the development would provide a number of jobs in the construction

industry and supply chain in the short term and such benefits are consistent with the NPPF.

53. This application is for the reserved matters of a site which benefits from outline permission on an allocated site within the limits of development. The principle of development is there accepted; the material considerations are considered in turn below;

#### **Character and Appearance**

54. The application site lies within the settlement boundary and is therefore assessed against DP1 to DP4 of the National Planning Policy Framework (2026). These policies establish that decisions should be taken in accordance with the development plan, while applying the presumption in favour of sustainable development.
55. Policy SD8 of the Local Plan reflects those policies of the NPPF seeking to achieve high design standards. Additionally, the Yarm Back Lane and Harrogate Lane masterplan also sets out a strategic framework for delivery which include a number of key design requirements when considering the overall approach taken by a development proposal. While the Stockton on Tees Local Design Guide SPD also promotes placemaking, good design and delivering high quality environment to live, work, play and learn in.
56. As set out within the parent permission, the site is situated towards the northern end of the Harrowgate Lane in Zone C of the WSSUE. Within the surrounding area there are a mix of properties, Zone A which has secured permission the north has a mix of dwellings sizes and styles although mainly consist of 2 and 2.5 storey dwelling. The residential properties to the east form the south-western edge of Hardwick and northern parcel of the Bishopsgarth estate. These properties are two storey and consist of a mix of materials including a variety of brickwork colours, elements of render and hanging tiles.
57. The proposed housing layout incorporates a range of dwellings which are two storey and two and a half storey in scale and would therefore be appropriate within the surrounding setting. The house types indicate a mix of two, three and four bedroomed properties over a mix of small terraces, semi-detached and detached dwellings and with a mix of tenure types. The general layout is considered to be appropriate within the overall context of not only the wider application site but the surrounding area, and approved developments to the north. The streets are considered to have a good level of frontage and areas of public amenity spaces, have a good degree of natural surveillance to provide active frontages, sense of place and a safe environment. All materials are to be secured through condition.
58. With regards to the requirements of DP3 (1) of the NPPF the overall layout and density of the proposed development is such that, notwithstanding the proposed uplift of housing numbers, it is considered to be broadly in accordance with the overall character of this part of the WSSUE character, especially the approved development to the north and would represent efficient use of the site. The density of the site is considered to be largely compliant with NPPF policies L2 and L3.
59. Whilst the place team comments are noted it is considered that the revised plans have gone a long way to address the initial comments, subject to the recommended conditions. Furthermore, consideration has been given to the development to the north.

60. It is considered that whilst relatively high density, subject to condition securing the final details, the scheme has managed to incorporate meaningful landscaping through and around the development, including blue green corridors in compliance with the masterplan and the formation of nodes and feature squares. Whilst the areas are indicated on the plan, full details have not been provided and therefore further conditions are required to secure the detailed design. This is considered to be in accordance with N3 (trees in new development).
61. The principal Tree Protection Officer has reviewed the condition of the trees August 2026 and confirmed that the submitted tree reports provide a good account of the trees as their conditions have not changed or worsened. With respect to the tree referred to in the Place teams comments he has concluded that the ash dieback is not considered to be detrimental, in fact the trees are proving to be quite resilient, the ash tree has not declined to the stage which would prevent it from being retained as a feature. The resilience of them is considered to be promising
62. As set out the proposed overall development site has, in accordance with the masterplan incorporated the de culverting of the watercourse enabling the incorporation of the blue/ green corridor. Whilst the scheme, subject to conditions would provide high value amenity space and landscaping, it would not provide onside meaningful public open space. However, in considering the aforementioned and the existing and proposed connectivity to open space to the north and east of the site, an of site contribution to open space provision is deemed to be considered appropriate and would be secured via 21/2130/FUL S106 , as detailed within the Hot's.
63. Overall, subject to the recommended conditions securing the details of the soft and hard landscaping, as well as materials, it is considered that the proposed development would largely comply with the aims of local and national planning policy.

#### **Residential Amenity**

64. Policy SD8 of the adopted Local Plan seeks to ensure that development proposals are designed to the highest possible standards by ensuring that new development are appropriately laid out, ensure adequate separation and provide privacy and amenity of all existing and future occupants.
65. In terms of the internal relationships between proposed properties, the layout and spacing of properties within the site are considered to be acceptable to provide sufficient levels of privacy and amenity between properties. In the few areas where separation distances are not met, the level of amenity for those occupiers are considered to be acceptable given the orientation of the properties, angles between habitable room windows, overall siting and nature of the rooms within close proximity to one another. This includes the relationship with the full permission and the school to the north.
66. Planning conditions are secured through the parent permission and through this permission with regards to a number of matters including finished site levels and means of enclosure. In addition, the removal of permitted development rights for extensions and alterations is also recommended to protect future levels of residential amenity for the life of the development given the overall relationship between the properties within the proposed layout.

67. To the western boundary is an approved solar farm, ref 22/1511/FUL during the course of determining that application consideration was given to the potential impact on future occupier's amenity of this allocated site. It was concluded that;
68. The results of the analysis have shown that reflections from the proposed development are geometrically possible towards the majority of the proposed dwelling receptors, however there is no significant impact upon nearby proposed dwellings due to existing screening blocking the views of the proposed development and the presence of other mitigating factors. Therefore, no mitigation is required.
69. Whilst the impact was considered that was done principally at ground floor. Due to the orientation of the proposed dwellings plots 312- 331 rear elevations would front onto the solar farm. Whilst views at ground floor would largely be screened by the existing boundary treatment, the first-floor windows, which principally serves bedrooms/ bathrooms would provide views over the solar farm. The loss of a view is not a material consideration. However, due to the existing boundary treatment, orientation of the panels and the separation distances, it is not considered that the panels would give rise to a demonstrable adverse impact on future occupier's amenity with respect of glint and glare to such a degree that a reason for refusal could be sustained. It is of note that no objection has been received from the EHU officers with respect to either glint and glare or noise from the associated solar farm infrastructure
70. No objection has been received in terms of the layout from National Grid and no objection has been received from the Council EHU in terms of noise from either the overhead lines or adjacent land uses. The parent permission was supported with a Noise Assessment and necessary conditions imposed.
71. The objections from residents to the east of the site are noted with regards to loss of light and privacy, however due to the separation distance and physical separation created by the highways it is not considered that the proposed development would have an adverse impact on the occupiers of these existing properties.
72. Concerns have also been raised regarding air quality, EHU have considered the application and have raised no objection. The outline planning permission imposed a number of conditions with which this reserved matters application must comply.
73. Overall subject to the recommended conditions the proposed development is considered to provide all future occupiers with an acceptable level of amenity whilst safeguarding the amenity of the existing land uses.

#### **Highways and Transport**

74. TR6 (4) of the NPPF is clear that development should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.
75. Concern has been raised by the objectors in relation to the wider traffic implication of the development. However, as set out above the principle of the development including the assessment of the wider impact on the highways network has been

considered within the parent permission. National Highways have confirmed they have no objection to the increased capacity over the original outline permission.

76. In terms of the access and internal highway and parking arrangements, the Highways Transport and Design Manager has reviewed the proposed development and following receipt of the revised plans, has raised no objection to the proposed development.
77. Following submission of the development to the north revised plans were received to enable connectivity of the north south cycleway, in accordance with the masterplan'

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

78. The applicant has submitted a flood risk assessment, drainage strategy and are providing a SUD pond to serve the wider development. The proposed residential development which is classified as 'more vulnerable' is located within flood zone 1, therefore, the development is suitable within the identified flood zones in accordance with NPPF. Objectors have raised concerns in relation to surface water and flood risk.
79. During the course of the application various plans/ reports were withdrawn and resubmitted, the LLFA have been consulted and are satisfied that notwithstanding the submitted details that an acceptable strategy can be implemented on the site, subject to the recommended conditions. They have therefore raised no objection to the proposed development.
80. Northumbrian Water have raised no objection and neither has the Environment Agency. Updated conditions have been recommended in accordance with the updated comments

#### **Ecology**

81. Concern has been raised by objectors over the displacement and impact on wildlife. The Ecological Appraisal submitted in support of the application was updated in April 2024. Due to the potential for works to commence in excess of 3 years from the date of this survey, a condition requiring a walkover survey be carried out prior to each stage of the development, to ensure that there has been no ecological or biodiversity change which would require different mitigation those proposed.
82. A further condition has been recommended to secure any tree to be felled is subject to a climb and inspect survey. In addition to conditions regrading illumination and adaptations to boundary fences to facilitate the movement of hedgehogs in line with the guidance produced by the British Hedgehog Preservation Society. It is also proposed to condition a Construction Environment Management Plan, to safeguard wildlife during the construction phase.
83. The application was submitted prior to Biodiversity Net Gain and therefor the application is not subject to this under the Habitat Regulations however there is still a requirement under the Local Plan Policy ENV5 for development proposals to achieve net gains in biodiversity wherever possible. The Site has the capacity to enable the retention of a number of existing landscape feature, such a hedgerows and trees which provide a valued habit for a number of key species, as well as providing some biodiversity gains. Therefore, notwithstanding the recommendations within the submitted reports a condition is required for a biodiversity protection and gains plan to be submitted detailing how this has informed and will be integrated into the detailed landscape proposals.



### **Nutrient Neutrality**

84. Following the deferral of the application in March 2025, the applicant sought to address the concerns raised by Natural England regarding nutrient neutrality.
85. This resulted in a revised mitigation strategy, whereby the applicant proposes to secure private nutrient credits to offset the development's impact on the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site.
86. Consequently, an updated Habitats Regulations Assessment (HRA), including an Appropriate Assessment, was undertaken. Natural England was consulted on the revised assessment and the proposed mitigation strategy and subsequently confirmed that it was satisfied with the submitted information.
87. In light of the revised mitigation approach and Natural England's response, officers are satisfied that the proposal would not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA/Ramsar site. The application is therefore considered to satisfactorily address the nutrient neutrality requirements arising from the increase in nitrogen associated with the development.

### **Crime and Disorder**

88. Under the provisions of Section 17 of the Crime and Disorder Act, the planning system and the Local Planning Authority must do all that it reasonably can to prevent, crime and disorder in its area.
89. The development is relying on the proposed layout allows for natural surveillance of the public square. The comments from the Designing out Crime Officer have been noted. It is considered that a number of the recommended measures would be achievable within the site and therefore a suitably worded informative has been recommended. Subject to the recommended informative it is not considered that the proposals would give rise to crime and disorder.

### **Low Carbon**

90. The comments from CPRE are noted and in accordance with the requirements of Policy ENV1 major residential development should achieve a 10% reduction of total predicted energy requirements. A condition is recommended to ensure these details are submitted.

### **Residual Matters**

91. Following submission of the ball strike report, Sports England have removed their objection.
92. To ensure delivery of Zone B is not prejudiced notwithstanding the proposed plans which show a connection point, up to the red line, as set out with the Heads of Terms there will be the requirement within the S106 to make this access point available without ransom. This is to ensure the whole of the WSSUE is deliverable.
93. Concerns were raised regarding the level of public consultation undertaken. Officers are satisfied that prior to determination consultation has been carried out in accordance with the requirements of the Development Management Procedure Order (2015). The current consultation expires on 8 September 2026.

94. As with all applications reported to Planning Committee, should any representations be received after publication of the agenda, Members will be verbally updated on any new or additional material planning considerations arising from those representations that have not already been addressed within this report.

### **Conclusion**

95. Given the above considerations the proposed development is considered to be visually acceptable, and it is not considered that the proposed development will have any adverse impacts on levels of residential amenity, flood risk, ecology or highway safety to justify a refusal of the application. The proposed scheme is therefore in accordance with the relevant local and national planning policies.
96. In view of the considerations set out within this report, the application is recommended to Approved subject to Section 106

### **Financial Implications**

As per report.

### **Environmental Implications**

As per reports

### **Biodiversity Net Gain**

Biodiversity Net Gain is not required as the application was received prior to the regulations coming into effect.

### **Legal Implications**

As per report

### **Community Safety Implications**

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

### **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            | Bishopsgarth And Elm Tree (Pre May 2023) |
| Ward Councillor | Councillor David Minchella               |
| Ward Councillor | Councillor Hugo Stratton                 |

### **Background Papers**

- National Planning Policy Framework
- National Planning Practice Guidance
- Stockton on Tees Local Plan Adopted 2019
- Meeting Housing Need Adopted May 2021
- Local Design Guide Adopted March 2023
- Open Space, Recreation and Landscaping Supplementary Planning Document Adopted December 2009
- Parking Provision for Developments Adopted October 2011

#### Other relevant planning Application files

- 24/0336/VARY - Section 73 application to vary conditions no1 (approved plan)  
14/2291/EIS - Application for outline permission for residential development (340 dwellings) including access. Approved March 2025
- 21/1599/REM - Reserved matters application for the appearance, landscaping, layout and scale for residential development comprising 110 dwellings for phase 4 and 5. Pending
- 21/2130/FUL Application for the erection of 54 dwellings to include access, parking, open space and associated infrastructure. Pending
- 21/0250/DCH- Information to discharge condition no 6. Discharged February 2025
- 14/2291/EIS Application for outline permission for residential development (340 dwellings) including access. Allowed at Appeal

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