

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE  
6 DECEMBER 2023  
REPORT OF DIRECTOR OF REGENERATION  
AND INCLUSIVE GROWTH**

**22/0334/EIS**

**Land At Summerville Farm, Harrowgate Lane, Stockton-on-Tees**

**Hybrid planning application comprising of 1) full application for the erection of 385 dwellings with associated infrastructure, access and landscaping and 2) Outline application with some matters reserved (appearance, landscaping, layout and scale) for the erection of up to 285 dwellings**

**Expiry Date 3 June 2022**

**SUMMARY**

The application site is located on the western fringe of Stockton and forms part of the West Stockton Strategic Urban Extension (WSSUE) which totals 2,150 new homes across the Local Plan period. The application site forms one of the larger parcels of land within the northern parcel of the Strategic Urban Extension which is situated to south of Letch Lane and north of Outwood Academy.

A hybrid planning permission is sought, with part of the proposals seeking a full planning approval for 385 dwellings with associated infrastructure and the second element seeking outline planning approval for 285 dwellings. The planning application is supported by an Environmental Statement (ES) and is considered under the Environmental Impact Assessment regulations.

The detailed part of the proposed development will provide a mix of two, three and four bedroomed properties over a mix of small terraces, semi-detached and detached dwellings with a mix of tenure types. The outline part of the application seeks consent forming the south western proportion of the site, with only the means of access being considered at this stage. Access into the site would be via two new access points from Harrowgate Lane which would serve each development parcel.

Within the surrounding area there are a mix of properties sizes and styles and the design and general layout is considered to be appropriate within the overall context of the surrounding area. The submitted site plan also shows how the two parcels (full and outline) will integrate into one another and will ensure that a comprehensive design solution is achieved.

The application site forms part of the West Stockton Strategic Urban Extension which is a key housing growth area within the adopted Local Plan. The principle of housing on the site has already been accepted and established within the adopted Local Plan. With regards to the detail, the proposed appearance, scale and layout of the development is considered to be acceptable and the development is of a form which means that it is one which can be accommodated without any technical implications.

However, following the submission of the application, the applicant has had a number of associated costs to bear in the delivery of the application, which it is stated affects the viability of the proposals and a viability appraisal is currently under consideration with the District Valuer.

An added complication is that the funding agreement is time dependant with the applicant stating that the outcome is required by the end of the year.

In view of the fact that the proposal is acceptable in planning terms (subject to the identified condition and the outcomes of any viability appraisal) the application is put before members to consider the agreement to the principle of the development with decision being delegated to the Director of Regeneration and Inclusive Growth.

### **RECOMMENDATION**

**That members be minded to approve planning application 22/0334/EIS, with the decision being delegated to the Director of Regeneration and Inclusive Growth subject to conditions and informatives, the removal of the holding direction by National Highways and agreement being reached on the Heads of Terms.**

**The list of planning conditions and associated informatives are contained at Appendix 1.**

### **HEADS OF TERMS**

The developer is required to enter into a section 106 agreement in accordance with the terms highlighted within West Stockton Strategic Urban Extension (SUE) Masterplan and policy and subject to those terms identified below;

- To contribute towards the proportionate share of required infrastructure in broad accordance with the West Stockton Masterplan.
- To secure the identified off-site nutrient neutrality mitigation
- To enter into a section 278 agree for delivery of highway infrastructure
- Local labour agreement

With the detailed breakdown of such terms and contributions to be delegated to the Director of Regeneration and Inclusive Growth for final agreement. The proportionate share may be used to prioritise and bring forward any key piece(s) of infrastructure in line with the requirements of the West Stockton Masterplan.

### **BACKGROUND**

1. The land located to the western fringe of Stockton has long been identified as a potential future housing growth area. Early discussions with landowners, stakeholder and the Advisory Team for Large Applications (ATLAS) helped to inform previous iterations the Local Plan and current Local Plan to produce the masterplan for the West Stockton Strategic Urban Extension (WSSUE).
2. The Masterplan is intended to be framework to guide and influence development proposals as well as ensure that the necessary infrastructure is secured. Overall the WSSUE totals 2,150 new homes across the Local Plan period. With Policy H2 of the Local Plan providing the policy detail and appropriate considerations for the delivery of this strategic development site.
3. In formulating the urban extension and allocation of housing, the total extent of development was assessed through a highway model demonstrating that the level of development proposed could be accommodated subject to identified mitigation measures.

### **SITE AND SURROUNDINGS**

4. The application site is situated opposite the norther western edge of Stockton on Tees and currently forms a series of agriculture fields bounded by Letch Lane to the north and Harrowgate Lane to the West. To the south lies the Outwood academy and to the west further agricultural fields. To the east of the site lie the residential properties of Hardwick.

- The site area is approximately 30 hectares and is separated by the Castle Eden Walkway which runs in a north westerly direction through the site, the route is also part of national cycleway network.

### **PROPOSAL**

- This current planning application seeks a hybrid planning permission, with part of the proposals seeking a full planning approval for 385 dwellings with associated infrastructure, access and landscaping and the second element seeking outline planning approval for 285 dwellings.
- The detailed part of the proposals seek a mix of two, three and four bedroomed properties with a mix of tenure types. Access to the site would be via two new access from Harrowgate Lane which would serve each development parcel. Across this phase of the development there would be a front loading of the affordable housing into phase 1, with the overall mix as indicated below (with the final mix of the outline being indicative at this time);

<b>Proposed housing mix</b>			
	Phase 1 (open market)	Affordable Housing (phase 1)	Phase 2 (open market)
2 bedroom	13	37	39
3 bedroom	199	63	133
4 bedroom	39	34	113
<b>Total</b>	<b>251</b>	<b>134</b>	<b>285</b>

- The outline part of the application seeks consent forming the south western proportion of the site, with only the means of access being considered at this stage and the remaining matters appearance, landscaping, layout and scale being reserved for future consideration.

### **CONSULTATIONS**

- The following consultees were notified and the following comments were received (in summary).

**Chief Fire Officer (Cleveland Fire Brigade)** – offers no representations regarding the development as proposed. However Access and Water Supplies should meet the requirements as set out in building regulations. It should also 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. ‘Shared driveways’ and ‘emergency turning head’ areas should meet the minimum carrying capacity requirements for the CARP identified above. Further comments may be made through the building regulation consultation process as required.

**Sabic UK Petrochemicals Ltd** – the application 22/0334/EIS will not affect SABIC/INEOS high pressure ethylene pipeline apparatus.

**PADHI Health & Safety Executive** – The proposed development site does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.

**The Ramblers Association** – note that the site is intersected by the Castle Eden Walkway (CEW). The Castle Eden Walkway is part of the National Cycle Route network, is it also a local adopted PRow and provide access to the wider local public rights of way. Without access from both "parcels" of the development to the Castle Eden Walkway the Ramblers' object to development.

**Network Rail** – no objection in principle to the development, but seeks a contribution towards Stockton Railway Station and the public transport links it offers through increase in usage at the station resulting from this development. The contribution sought is in relation to station

facility improvements such as cycle storage and improvements to passenger facilities such as information screens and waiting shelters.

**Highways Transport & Design Manager** – Subject to the following requirements being secured by condition or through a s106 Agreement the Highways, Transport and Design Manager raises no objections to the proposals.

- A cycle way link within the northern parcel of the site from the junction of Letch Lane / Harrowgate Lane to the Castle Eden walkway. This should be provided within a landscaped corridor or the public open space around the perimeter of the site.
- A cycleway link within the southern parcel of the site from the Castle Eden walkway to tie in with the cycleway provision with the Tithebarn development to the south of Outwood Academy. This should be provided within a landscaped corridor or the public open space around the perimeter of the site.
- An enhanced pedestrian link, on the western side of Harrowgate Lane, from Outwood Academy Bishopsgarth to the footway provided as a part of the northern site access works.

A number of additional conditions are required to resolve some outstanding landscape and visual concerns and secure final details of public open space and play provision, soft landscaping, hard landscaping materials, site levels, enclosure etc.

**Highways Comments** - The applicant has submitted a site layout plan, drawing 1786-VIS 100 Rev A, various house type layouts, a Transportation section within the Environmental Statement and a Transport Assessment Addendum.

**Traffic Impact** - The site forms part of the Yarm Back Lane and Harrowgate Lane Masterplan (YBLHLM) and the impact on the highways network of the allocated houses, identified for Zone A within the masterplan, has already been assessed and mitigation identified.

The current proposals would increase the number of houses within Zone A of the YBLHLM by 112 dwellings to a total of 670 dwellings therefore, the impact of the additional dwellings on the highway network has been assessed utilising the West Stockton Aimsun Model (WeSAM) and a local junction assessment has also been undertaken at the Horse & Jockey Roundabout.

The results of both assessments demonstrate that the proposed increase in housing within Zone A of the YBLHLM does not have a severe impact on the highways network within the context of the NPPF. The site is however reliant on the highway mitigation identified within the YBLHLM and should therefore make a proportionate contribution towards the delivery of this mitigation.

**Site Access Junctions** - The applicant proposes that the site will be served by 2 junctions which provide direct access on to Harrowgate Lane.

- The northern development will be accessed from a major/minor priority junction with a ghost island and refuge crossings.
- The southern development will initially be accessed from a major/minor priority junction with a ghost island and refuge crossings for the development associated with the detailed application. The junction will then be upgraded to a signal-controlled junction with signalised crossing facilities for the development associated with the outline planning application.

The suitability of both junctions has been assessed using standalone junction models and also within the WeSAM which have demonstrated that the proposed access arrangements will

operate efficiently in future design years, accounting for the anticipated traffic growth from future committed developments within the YBLHLM.

A Stage 1 Road Safety Audit has also been undertaken and the layout of the junctions have been amended to address the findings of this report. The proposed site access arrangements would be subject to detailed design and will be secured via a s278 Agreement.

Site Layout - the submitted layout is broadly in accordance with the Councils Design Guide and parking has been provided in accordance with SPD3: Parking Provision for Developments 2011. However, the following key elements from the Yarm Back Lane and Harrowgate Lane Masterplan (YBL&HLM) should be secured by condition or through a s106 Agreement:

- A cycle way link within the northern parcel of the site from the junction of Letch Lane / Harrowgate Lane to the Castle Eden walkway. This should be provided within a landscaped corridor or the public open space around the perimeter of the site.
- A cycleway link within the southern parcel of the site from the Castle Eden walkway to tie in with the cycleway provision with the Tithebarn development to the south of Outwood Academy. This should be provided within a landscaped corridor or the public open space around the perimeter of the site.
- An enhanced pedestrian link, on the western side of Harrowgate Lane, from Outwood Academy Bishopsgarth to the footway provided as a part of the northern site access works.

Construction Works - To minimise disruption during the construction period a construction traffic management plan should be secured by condition.

Landscape & Visual Comments - The proposals are broadly acceptable, however there are a number of outstanding issues, which still require resolution. Therefore it is requested that a number of conditions be secured as part of any consent, these are summarised below, and the suggested wording is included in the Informative section:

- Site levels
- Enclosure
- Lighting
- Tree and Hedgerow Protection
- Trees and hedgerows adjacent to the highway
- Public Open Space and Play Provision
- Soft Landscaping and maintenance
- Hard Landscape Materials

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

The proposed swale features that are draining the adopted highway will require a commuted lump sum for their ongoing maintenance of the lifetime of the development.

### **SBC Place Development Manager**

The Place Development Team have previously commented upon this application and have sought to promote improvements to overall design and layout of the proposal. The following comments are provided;

### Design Code

A revised design code was submitted in July 2023. Whilst this document provides a high level of information which is expected of a design code it would have been beneficial for the document to provide further consideration of the Yarm Back Lane and Harrowgate Lane Masterplan (and the updated Strategic Framework Plan contained within the Local Plan). One specifically notable aspect of the design code is that there is no provision of segregated cycle routes within the development which is wholly reliant upon cyclists sharing provision with pedestrians. The West Stockton Sustainable Urban Extension, which this site forms a part, should help create connections between the National Cycle Network (specifically NCN1 and NCN14) to support active travel.

At the current time we are unable to support the Design Code in its current form. More detailed comments are provided within the following sections.

### Connectivity

A logical and direct pedestrian and segregated cycle route should be established across the northern parcel, connecting the Castle Eden Walkway to Harrowgate Lane / Letch Lane, enabling further connectivity and active travel. It is preferred that this will be incorporated into the green space rather than through the residential streets.

Pedestrian and segregated cycle routes mentioned above should continue through southern element of the site and along its western extent of the site connecting Castle Eden walkway to the southern site boundary as established in the West Stockton framework masterplan. It is noted that the masterplan identifies cycleway connections along elements of the primary route within the development.

A footpath connection is required along Harrowgate Lane which would be continuous from where the current footpath ceases to the south of the site (at Outwood Academy) to the proposed access for the northern parcel of development (north of Hardwick Social Club). At the current time proposals only incorporate an element of this provision.

### Place Making

It is noted that the central “node” point outlined in the West Stockton Framework Masterplan has been relocated further along Castle Eden Walkway and developed into a LEAP feature. This “node” feature is essential to link the northern and southern development parcels, as well as providing wider pedestrian and cycle links beyond the development. Plans also begin to establish a “square” placemaking feature along the primary route of the development.

Both the “node” and “square” are currently identified as being located within the outline proposal. It will be necessary for these elements to be further articulated and illustrated within the design code to ensure the principles are established for a future application.

### Parking

There is an overreliance of frontage parking, particularly on the secondary streets, removing the opportunity for frontage planting or gardens. The applicant is advised to include frontage parking within a mix of parking solutions, including parking to the side of dwellings allowing for longer stretches of grass verge and front gardens.

### Street Trees

Concern is raised over the position of street trees in conjunction with swales although it is for Landscape and Flood risk management colleagues to advise on suitability. Where proposed street trees are unachievable due to swales, it is essential that trees are proposed within alternative appropriate locations.

**Environmental Health Unit** – After reviewing all the information available I am satisfied that the principle of development is acceptable from a noise/air quality perspective but request the following aspects are given further consideration;

#### Road Traffic

Road traffic levels have been predicted using road traffic data, not using noise levels obtained from site. The consultant has provided evidence to support the legitimacy of this method (within file attached) which I accept. I would however request a noise assessment be undertaken from site pre-commencement, the details of that assessment should not exceed those already submitted as part of this application.

#### Low Frequency Noise

Low frequency noise levels were assessed from the nearby substation as part of a previous planning application for a site nearby (20/1038/FUL). The data as part of the previous application identified 100Hz was a peak frequency which was not audible during the day but was on a night. Calculations in the attached file have suggested that the 100Hz frequency will be approximately 27dB (broadband LAeq 15dB) internally; both of which are below the internal guideline levels and represent an NR curve of NR20. To ensure these predictions are correct, as part of the pre-commencement conditions I would request these levels be measured during the day and night from site and should they be higher than those proposed within this submitted application then mitigation measures will be required to achieve the detailed limits.

#### Construction Noise

The construction noise assessment is acceptable and the levels detailed within the submitted assessment should be achieved during construction. A CEMP should be submitted detailing how these levels will be achieved in practice. Best practice mitigation measures should be in place during the period of construction noise.

#### Piling

Section H5.16 of the Noise assessment states that driving piling should be avoided within 100m of the nearest sensitive receptor. Should piling be required it should be undertaken in accordance with the submitted noise report. Best practice mitigation measures should be in place during the period of piling noise.

#### Mitigation Measures and Noise Assessment

All other mitigations measures detailed within the noise assessment should be implemented in full prior to commencement.

**SBC Housing Services Manager** – Assuming that the quantum of affordable housing provision is 20%, the critical element is then around property type, size and location within the overall site.

- The affordable housing are appropriately dispersed throughout the overall site.
- It is unclear exactly what product Affordable housing (PRS) is and on what basis / terms it is offered to customers.
- It would be helpful to have an overall breakdown of property type, size and tenure in a separate table and identify them under these headings with an annotated map.
- An Affordable Housing Statement is required to outline all of the details in respect of the affordable housing provision (outline above) and this should be approved by Strategic Housing (Alan.Glew@stockton.gov.uk) in advance of development commencing.
- Any service charges expected or anticipated in respect of any affordable housing dwellings need to be confirmed from the outset to ensure that overall entry costs for affordable housing are in keeping with local incomes.

- Housing would welcome confirmation of any affordable homes delivery partner and a commitment from whoever is allocating the affordable dwellings to allocate on the basis of the Tees Valley Common Allocations Policy. All enquiries to be directed to Carol.Bruce@stockton.gov.uk
- A projected delivery plan of all affordable dwellings is required alongside a commitment to share ongoing quarterly reports to track progress of all affordable dwellings from inception to completion.

**Northumbrian Water Limited** – a Drainage Strategy has been submitted as part of the "Water Environment And Flood Risk Appendix Part 2" document. The pre-planning enquiry included in Appendix E was completed for 385 dwellings and not the full development proposed under this planning application, the applicant should therefore liaise with our pre-planning team to ascertain whether the connection points are acceptable for the full development. At the present time the planning application does not provide sufficient detail with regards to the management of foul water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

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

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

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

**Tees Archaeology** – A geophysical survey and the trial trenching reports have been submitted which conclude that the risk of negative impact on any significant archaeological features from future development is considered to be low. We agree with this conclusion, and no further archaeological work is necessary.

**Sport England** – The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. This application falls within the scope of the above guidance as it relates to major residential development (300 or more dwellings)

The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site.

The population of the proposed development is estimated to be 1,548 (using an average household size of 2.31) . This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.



Stockton Council's SPD on Open Space, Recreation, and Landscaping sets out standards of provision for both outdoor sports facilities, and indoor sports facilities, and where provision is not made on-site costs per person for off-site provision are detailed. This would be:

Outdoor sports facilities -	£170,280
Indoor sports facilities -	£388,578
Total	£558,858

At present there is no indication that the application will commit to a planning contribution to fund the enhancement of off-site sports facilities that will serve the development. In effect therefore the proposal is making no provision to meet the sports needs of its residents.

**National Planning Casework Unit** – acknowledge receipt of the environmental statement and have no comments to make on the environmental statement as the Secretary of State does not act as a statutory consultee. To do so may prejudice any decision he may make should the application come before him in the future.

**NHS** – seek a planning obligation for improving access to GP surgeries and allow for increases in patient numbers and advise that they would be unable to guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers.

The calculated contribution identifies the Densham & Dovecot Surgeries and a requirement for a contribution of £323,610 (based on a 1541 patient increase).

**Cleveland Police** – would encourage the developer to include within the design, active side elevations where possible, and where privacy concerns permit. This will increase informal surveillance of the planned environment.

The developer should 'build in' the principles of 'Secured by Design' New Homes Standard 2019. The developer, among other things, should also consider dusk 'til dawn lighting on each elevation with a doorset, defensive planting boundary treatments, approved test house certified PAS024 doors and windows and additional security eg box trellis, atop of fencing where the property runs adjacent to a public footpath.

Cleveland Police can provide advice free of charge and would include a Certificate of compliance with Secured by Design Standard, which could be used to help market the site.

**National Highways** - Subject to written confirmation that the modelled signal timings are acceptable to the Local Highways Authority and that they will not be adjusted without consultation with National Highways, we would suggest that the impact from the proposed development cannot be considered to be severe.

Given the need for an agreement with the Local Highways Authority, National Highways' existing recommendation of non-determination is withstanding. We will update our recommendation as soon as we have received comments from the Local Highways Authority.

**The Environment Agency** – have no objection to the planning application as submitted, subject to the inclusion of the following planning conditions.

Condition 1- Foul Drainage Scheme

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved. The scheme should include, but not limited to, the following:

- Confirmation of which sewage treatment works (STW) will treat the foul flows from the development. Based on the location of the development, we would expect the foul flows would be treated at Northumbrian Water's Bran Sands sewage treatment works (STW). If this is not the case, refer to the informative below.
- Details of combined sewer overflow (CSO) spill frequency and whether the development will cause any increase in CSO spill frequency due to increased flows. The applicant should consult with Northumbrian Water to provide a hydraulic capacity assessment for the sewer network linking the development and Bran Sands STW.

Reasons: This approach is supported by paragraph 174 of the National Planning Policy Framework (NPPF) which recognises that planning should contribute to and enhance the environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

#### Condition 2 - Construction Surface Water Management Plan

The development hereby permitted shall not be commenced until such time as a Construction Surface Water Management Plan has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved. The plan should include, but not limited to, the following:

- Treatment and removal of suspended solids from surface water run-off during construction works;
- Approach to ensure no sewage pollution or misconnections;
- Approach to ensure water mains are not damaged during construction works;
- Management of fuel and chemical spills during construction and operation, including the process in place to ensure the environment is not detrimentally impacted in the event of a spill;
- Due to the nature of the site and presence of contaminated land, construction runoff is likely to contain hazardous chemicals and elements. A scheme is required to manage the associated risks, and minimise mobilisation of hydrocarbons, heavy metals and any other hazardous pollutants into the water environment during construction and site operation.

Reasons: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the NPPF.

*Informative:* If the foul flows from the development are to be treated at Bran Sands STW, then we do not require a WFD assessment. We are aware there is sufficient capacity at the STW to receive the flows without exceeding permitted flow limits. If the foul water is not going to be treated at Bran Sands STW and will be treated at another STW in the vicinity then the applicant will also need to produce their own WFD assessment to demonstrate the impact of the proposed development on the receiving watercourse.

**SBC School Place Planning** – The West Stockton Strategic Urban Extension (WSSUE) masterplan set out the general scope for school place provision for the urban extension and an assessment school place need is considered below;

Primary School need; The proposed development will generate the need for approximately 147 primary school places and as outlined within the masterplan, a new school would still be justified on the increased population. A contribution should be sort in line with the proportionate share across the WSSUE.

Secondary School; A recent investment into the Outwood Academy Bishopsgarth will increase the school's capacity from 600 to 900 places, with the opportunity for that to be increased to 1050 places should the need arise.

This proposal will generate the need for approximately 87 spaces in secondary school education and whilst admissions to some secondary schools within the West Stockton area are close to capacity, based on current projections, there would be sufficient capacity to accommodate the requirement from this proposal and a contribution to secondary school provision is not required at this stage.

**Natural England** – Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Teesmouth & Cleveland Coast Special Protection Area and Ramsar Site - <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Teesmouth & Cleveland Coast Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures should be secured:

- Sustainable drainage systems - detailed design, construction and completion of these wetlands before occupation of the proposed new homes, together with maintenance arrangements for the development's lifetime should be secured.
- Sustainable drainage systems – details of the proposed adaptive approach to monitoring/review including frequency of review, funding and responsibilities.
- A suitable woodland management plan for the off site mitigation land parcels including arrangements for maintenance and monitoring/review for the lifetime of the development.

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

## **PUBLICITY**

10. Neighbours were notified and a total of 7 objections and 1 letter of representation have been received to the application the following comments were made;

### **Objection comments:**

- Government targets for new homes has been met, no large developments are required.
- Drains in Letch Lane are bad already and area experiences flooding
- Traffic is bad at certain times of the day but always busy – development will increase traffic along Harrowgate Lane and within surrounding villages
- Road are in a poor condition and will be made worst by extra traffic
- No information in relation to new schools, doctors and dentists
- No details for the remaining land along Letch Lane i.e it to remain as agricultural land or be landscaped
- There will be an over development within this area
- Impact on local wildlife - foxes, frogs, newts etc
- Increases in litter
- Increase in anti-social-behaviour,
- Increases in noise pollution including increased traffic noise
- Adjoining housing developments are not selling, affecting house prices
- Devaluation of property
- Already issues with broadband and water in the area.

- Increase in pollution and impacts on climate change
- Loss of view

### **PLANNING POLICY**

11. 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.
12. 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**

13. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.
14. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;
  - approving development proposals that accord with an up-to-date development plan without delay; or
  - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### **Local Planning Policy**

15. 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 This document was classified as: OFFICIAL

- 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 sq m and above of gross floor space will be required to:
  - a. Submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction; and
  - b. Be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

#### **Natural, Built and Historic Environment Policy 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.

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

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

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

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

2. Where appropriate, development proposals will be required to make contributions towards green infrastructure having regard to standards and guidance provided within the Open Space, Recreation and Landscaping SPD or any successor. Green infrastructure should be integrated, where practicable, into new developments. This includes new hard and soft landscaping, and other types of green infrastructure. Proposals should illustrate how the proposed development will be satisfactorily integrated into the surrounding area in a manner appropriate to the surrounding townscape and landscape setting and enhances the wider green infrastructure network.

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

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

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

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

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

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

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

approved where suitable mitigation can be achieved that would bring pollution within acceptable levels.

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

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

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

5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.

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

a. Support ecological improvements along riparian corridors including the retention and creation of river frontage habitats;

b. Avoid net loss of sensitive inter-tidal or sub-tidal habitats and support the creation of new habitats; and

c. Protect natural water bodies from modification, and support the improvement and naturalisation of heavily modified water bodies (including de-culverting and the removal of barriers to fish migration).

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

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

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

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

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

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

6. The following are designated heritage assets:

a. Scheduled Monuments - Castle Hill; St. Thomas a Becket's Church, Grindon; Barwick Medieval Village; Round Hill Castle Mound and Bailey; Larberry Pastures Settlement Site; Newsham Deserted Medieval Village; Stockton Market Cross and Yarm Bridge

b. Registered Parks and Gardens - Ropner Park and Wynyard Park

c. Conservation Areas - Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Egglecliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm



d. Listed Buildings

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

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

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

**MATERIAL PLANNING CONSIDERATIONS**

16. 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**

17. The National Planning Policy Framework (2023) 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.

18. 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).

19. 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.

20. 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.

21. This application proposes to deliver 670 units across the detailed and outline permissions, with 385 units forming the full planning approval 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.

22. The proposed layout and associated land take is broadly consistent with the housing allocation of the WSSUE and associated masterplan, pedestrian/cycle connections are identified to link to the Castle Eden Walkway and consequently the proposals are considered to be in accordance with the requirements of policy H2 of the adopted Stockton on Tees Local Plan.

23. The hybrid nature of the application does not affect the overall acceptability of the principle of housing development on the site, as obtaining a housing allocation in a Local Plan has already established that principle. The development proposals are considered to be consistent with the aims of the Local Plan and the overall acceptability of the scheme is subject to those material planning considerations identified within the report below;

### **Sustainability**

24. As detailed above, the application site lies within the limits to development and lies on the western edge of north Stockton. Within the immediate area there are a range of services and facilities to support the development and there is also good access to sustainable transport modes, including public transport and walking and cycling.

### **Affordable housing**

25. Policy H4 sets out the council's approach to affordable housing with the council's requirement being to provide 20% of new homes to be affordable. The tenure split sought is 70% intermediate and 30% affordable rent.
26. As part of the application the applicant is seeking to comply with the affordable housing requirements of the Local Plan and additionally is seeking to 'front load' the affordable housing for the whole proposal into phase 1, which would see 134 affordable homes delivered.
27. However, the applicant has stated that the viability of the scheme is dependent on receiving grant funding from Homes England, consequently they are seeking the affordable housing to be secured via a condition rather than a S.106 agreement. Consequently a viability appraisal which has been submitted and is being considered and assessed by the District Valuer. This is considered in further detail below.

### **Community Infrastructure/education**

28. Comments in relation to community infrastructure and in particular the provision of schools are duly noted. However, the WSSUE was formulated on the delivery of associated infrastructure to ensure that a sustainable community was delivered. This included the provision of schools, open spaces, community hub and associated connected through the allocation. In line with the WSSUE a proportionate share of the associated impacts is required to be secured through a Section 106 agreement.

#### *Education*

29. As part of the Yarm Back Lane development proposals (ref 20/0191/EIS) a future school site was secured through an outline permission and it was considered that the revised location was in accordance with the aims of the development plan and West Stockton SUE Masterplan. Securing the school site was an important element of the overall infrastructure requirements for the WSSUE, although there is a requirement for additional housing to provide a proportionate share as required by the Yarm Back Lane and Harrowgate Lane Masterplan.
30. With regards to secondary school places, a recent investment at the Outwood Academy Bishopsgarth will increase the school's capacity from 600 to 900 places, with the opportunity for that to be increased to 1050 places. Given the proposals will only generate the need for approximately 87 spaces in secondary school places, it is at this present time considered that there is no need for additional secondary school places given the current capacity available.

#### *Health provision*

31. NHS England have commented suggesting that they would be unable to guarantee to provide sustainable health services in these areas in future without planning obligations being secured. Whilst the position is noted, no definitive evidence has been provided to demonstrate this and nor was such provision identified at the time of the WSSUE. Such factors would not justify a

refusal of the application although contributions can be sought through a Section 106 agreement subject to the overall viability of the scheme.

*Play/sports provision*

32. Sport England have commented that new development, especially residential, will generate demand for sporting provision and that The existing provision within an area may not be able to accommodate this increased demand. The increase in the associated population is deemed to impact on both outdoor and indoor sports facilities and a contribution of £558,858 is sought towards the enhancement of off-site sports facilities. Again such provision can be secured through a Section 106 agreement subject to the overall viability of the scheme.

**Economic/Social Benefits**

33. 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.
34. Additionally within the Heads of Terms, provision is made to secure the local labour agreement which would see to employ 10% of staff and the supply of materials from the local area.

**Viability**

35. Following the submission of the application, the applicant has had a number of associated costs to bear in the delivery of the application, this includes contributions to the proportionate share of the WSSUE, Nutrient Neutrality mitigation and other identified costs through the consultation exercise.
36. The total section 106 costs attributed to the scheme alongside affordable housing provision equate to c.£8.8m which are summarised below;
- 20% Affordable housing
  - Highways and additional infrastructure - £5,516,651
  - Community centre - £155,721
  - Public transport - £96,658
  - Primary school - £1,463,796
  - Indoor / outdoor sports - £558,858
  - NHS - £323,610
  - Nutrient mitigation - £700,000
37. As a result of the identified costs above, the applicant has submitted a viability appraisal which states that the scheme is unviable and the provision of front loading the 20% affordable housing is dependent on securing Homes England Funding. That assessment is currently under consideration with the District Valuer who is considering that appraisal.
38. An added complication is that the funding agreement is time dependant with the applicant stating that the permission needs to be secured by the end of the year or delivery of the scheme
39. In view of the fact that the proposal is acceptable in planning terms (subject to the identified condition and the outcomes of any viability appraisal) the application is put before members to consider the agreement to the principle of the development with the final planning obligations being delegated to the Director of Regeneration and Inclusive Growth for final agreement. Those outcomes would be informed by the District Valuers assessment of the viability of the appraisal and any subsequent discussions with the applicant.

### **Character and visual implications**

40. The National Planning Policy Framework at paragraphs 130 and 131 seek to create attractive and well-designed places through good architecture and landscaping which help to create a strong sense of place. This includes the presence of trees and in particular tree lined streets and trees within areas of public open space.
41. 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.
42. The application site is situated at the northern end of the Harrowgate Lane parcel of land within the WSSUE which is still to be developed. Within the surrounding area there are a mix of properties, Letch Lane to the north has a mix of dwellings sizes and styles although main consist of detached bungalows and dormer bungalows. 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.
43. The proposed housing layout incorporates a range of dwellings which are two 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 the surrounding area, with the streets having a good level of frontage and areas of open space and public amenity spaces have a good degree of natural surveillance to provide active frontages, sense of place and a safe environment. The use of red and buff bricks and grey and brown roof tiles have been indicated although details over final materials would be controlled via a planning condition.
44. Whilst it is noted that the details of this application include a full application and an application covered by an outline consent, the submitted site plan shows how the parcels will integrate into one another and will ensure that a comprehensive design solution is reached and will create a designed development with a strong sense of place. Although the acceptability of the outline parcel of development would fall to a future reserved matters application.
45. The Place Development Manager comments that no provision of segregated cycle routes within the development is made, with cyclists sharing provision with pedestrians and that direct pedestrian and segregated cycle route should be established across the northern and southern parcels, connecting the Castle Eden Walkway. Additionally a pedestrian connection to Outwood Academy is also requested. It is considered that sufficient space exists within both of the development parcels to accommodate these requirements and planning conditions are recommended to secure these provisions.
46. References to the provision of the central 'node' and LEAP feature adjacent to the Castle Eden Walkway are noted, as is the reference to the 'square' and again these details can be secured through planning condition but will also feature within the detailed consideration of the reserved matters.
47. In view of the above consideration it is considered that the proposed development would be visually acceptable and would not be out of keeping with the overall character of the surrounding area, in accordance with the requirements of national and local planning policy.

## **Landscaping**

48. Similar to other parts of the WSSUE, the site comprises a number of arable fields which are located on the western edges of Stockton and encompass associated hedgerows and tree planting which is typical of an urban fringe or rural location.
49. The submitted Environment Statement includes a landscape and visual impact assessment (chapter D) which considers the general impact of the proposal on the existing landscape character. It summarises that as is located on the settlement edge, was previously intensively farmed and as a result has few landscape features, and that in view of the surrounding features of the locality, the sensitivity to change is considered to be low. At completion, the LVIA recognises that there would be a permanent change in the landscape character as a result of the housing development and that this would not alter views and the landscape character of the site. However, at worst the associated impacts are considered to be 'moderate but not significant'.
50. However, the LVIA also recognises that the development proposals would not appear incongruous on the edge of the settlement and given the land allocation for housing combined with the wider extension to the western fringe of Stockton, this view is considered to be reasonable. Notwithstanding the extent of building development, the proposals also include elements of open space and landscaping throughout the site, which would help to soften the development as a whole and integrate it into the surrounding landscape. The LVIA sets out that at 15 years the proposed landscaping and green infrastructure would be "sufficiently mature" and provide a high degree of screening with the areas of POS contributing to local green infrastructure network.
51. Overall the proposed layout follows the principles of the WSSUE Masterplan and include area of public open space. Two public open space areas are proposed either side of the Castle Eden Walkway to create a feature and sense of place within the development overall and also provide opportunities to play for local residents and users of the Castle Eden Walkway. A planning condition is recommended to secure final details within both the full and outline parts of the application with regards to the areas of Public Open Space.
52. Following a series of revisions to the proposals, the submitted landscaping plans are considered too be broadly acceptable, although the final details of the associated species is controlled via a planning condition to ensure that those principles deliver a success outcome with respect to soft landscaping.
53. Further conditions are also sought to the protection of trees and hedges landscaping hard works, enclosures, ground levels, maintenance, and landscape treatment of the SuDS. Such conditions are not only essential to safeguard the visual appearance of the development but also integrates into other aspects of the development such as ecology, biodiversity gains, neighbour amenity and drainage. With respect to the outline planning application, final landscaping details would form part of the future considerations associated with any reserved matters application.

## **Amenity;**

54. 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.
55. With regards to the proposed layout of the detailed proposals, it is considered that sufficient separation distances exist between the proposed development and existing residential properties to the east of the application site, which are located in excess of 50 metres from the proposals. Taking into consideration the siting and orientation of the proposals alongside the

scale of the associated properties it is not considered that there will be any significant loss of overlooking, light or overbearing impacts as a result.

56. 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 once another.
57. Planning conditions are recommended 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,
58. With respect to the future occupiers of the proposed development, it is noted that planning approval has been granted on the adjacent site to the west of the application site, for a solar farm (ref; 22/1511/FUL). As part of that application, attention was given to the housing allocation (the application site) to allow for additional screening and standoff between the two sites to help screen any future developments. The revised proposals of this application also indicate Public Open Space on the shared boundary (western boundary) of the two sites providing a further increase to the buffer between the two developments. Notwithstanding the future layout of this part of the site would fall to a reserved matters application, it is considered that sufficient space remains between the uses in order to accommodate the level of development proposed and so that an acceptable level of amenity for the future residents of the outline part of the application site can be achieved.
59. In respect of the outline part of the proposals, as demonstrated by the indicative layout the site is capable of accommodating 285 dwellings and associated roadways/infrastructure. However, the final considerations over the acceptability of that part of the development site with respect to the living conditions of future occupiers and those immediately adjacent to the site would fall into consideration of a future reserved matters application.
60. Notwithstanding the layout of the site, there are areas where the relationships between the properties could lead to the close proximity between properties were permitted development rights are to be utilised. In order to safeguard the amenity of future occupiers and in the interest of ensuring an open street scene is preserved in the interest of the character of the area. Planning conditions are recommended to remove permitted development rights for alterations/extensions to the dwelling houses and for the erection of boundary treatments.
61. With regards to the outline portion of the development site, it is also noted that electricity pylons lie to the west however these are considered to be a satisfactory separation distance from the site to allow for the future provision of housing, although the final arrangements will fall to a future reserved matters application.

### **Highway considerations**

62. Within the evidence base for the Local Plan it was necessary to demonstrate that the wider WSSUE was deliverable in order to secure the housing allocation. Consequently the WSSUE was underpinned by a highways model which included a number of highway improvements to show that the allocation of 2150 dwellings could be delivered as intended.
63. The Highways, Transport and Design manager has confirmed that the 112 additional units sought over and above the proportionate share for this site (as allocated within the Master Plan) have been assessed within the West Stockton Aimsun Model (WeSAM) as well as

through a local junction assessment for the Horse & Jockey Roundabout. Both of these assessments demonstrate that the proposed increase in housing does not have a severe impact on the highways network within the context of the NPPF.

64. National Highways have reviewed the associated impacts with regards to the A66 Elton Interchange and have confirmed that any Strategic Road Network queues are contained within the slip roads. They have requested confirmation that signal timings will not be significantly different to that in the model and that the signal timings are acceptable to the Local Highways Authority. Written confirmation has been provided by the Highway Design and Transportation Manager that the signal timings are acceptable and confirmation on the removal of the holding direction is awaited.
65. The applicant proposes that the site will be served by 2 junctions which provide direct access on to Harrowgate Lane. The suitability of both junctions has been assessed using standalone junction models and also within the WeSAM which demonstrate that the proposed access arrangements will operate efficiently in future design years which accounts for the anticipated traffic growth from future committed developments within the WSSUE.
66. The submitted layout is broadly in accordance with the Councils Design Guide, SPD on parking provision and the Yarm Back Lane and Harrowgate Lane Masterplan. However, cycleway links in the northern and southern parcels to and from the Castle Eden Walkway, as well as a pedestrian connection on the western side of Harrowgate Lane, from the northern site access to the Outwood Academy, are requested. Planning conditions on the provision of those pedestrian and cycle links are recommended, which will secure those linkages within both the full and outline parts of the proposals. Thus securing the required connections to aid permeability and sustainable connections, as also requested by the Place Development Manager.
67. A condition is also recommended to secure a construction traffic management plan to minimise disturbance during construction of the development.

#### **Heritage assets/Archaeology**

68. Within and adjacent to the application site are a few heritage features are identified which include a the former North Hardwick Farm, a World War II Pillbox and the Castle Eden railway which is now a walkway and associated structures, but there are no designated heritages assets such as listed buildings within or adjacent to the site.
69. Nevertheless, the submitted Environmental Statement considers the potential implications on the identified heritage assets concluding that there are no significant implications for these assets as a result of the development. In particular the World War II pillbox is which largely concealed within the hedgerow and will be preserved in situ and there are opportunity to enhance this asset as is the case for the Castle Eden Walkway. A planning condition is recommended with regards to the pillbox to ensure its protection during construction and its long-term conservation and interpretation.
70. The current design and layout of the scheme also proposes two areas of POS either side of the Castle Eden Walkway to create a sense of place and opportunities would existing within either of those areas of POS to reflect the railway heritage of the route through play equipment and or interpretation panels. Again a planning condition is recommended with regards to these controlling the finals details with regards to these aspects.
71. With regards to archaeology, policy HE2 requires the archaeological implications of development to be considered and any associated works/reports to be deposited in the historic environment record. A written scheme of investigation has been submitted and a programme of trial trenching and exploratory work has taken place to consider the implications on any

archaeological remains at the site. The associated findings are that the risk of significant impacts on archaeological features from future development of the site are considered to be low. Tees Archaeology have commented that they agree with the findings and they require no further archaeological work.

72. In view of the above considerations, it is considered that the proposals have no significant impacts on heritage assets and would comply with policies SD5 and HE2 of the Local Plan.

### **Ecology;**

73. Chapter E of the Environmental Statement focused on the ecological impacts of the proposed development and identifies no impacts arising from the development on nationally designated or locally important wildlife sites. Consideration has been given to the fact that the development of the site will result in the loss of agricultural land. However, given the site is predominately former arable land it has which a low ecological value, with the associated hedgerows and associated trees providing a moderate habitat for smaller mammals and birds.

74. The retention of a number of existing landscape feature, such a hedgerows and trees are incorporated into the proposals which will continue to provide habit for and providing some biodiversity. In addition the Environmental Statement proposes mitigation measures which include native trees/ hedgerows planting; species rich grassland areas; fencing to provide 'hedgehog holes' and tunnels below roadways where they bisect hedgerows to provide commuting routes for mammals. A planning condition is recommended to secure these mitigation details.

75. Therefore, notwithstanding the recommendations within the submitted reports a condition is required for a biodiversity protection and gains plan (demonstrating a positive gain) to be submitted detailing how this has informed and will be integrated into the detailed landscape proposals.

76. Subject to the imposition of the recommended conditions it is considered that the proposed development would retain existing habitats and achieve biodiversity benefits as required by national and local planning policies.

### **Air Quality**

77. The submitted Environment Statement sets out that the Council currently has no declared AQMA's, and air quality across the borough is generally good. It is identified that during construction there remains the potential for dust emissions and overall there are no significant implications for air quality as a result of the proposals. The Environmental Health Unit has considered the proposal and raised no objections and the management for dust emissions can be adequately controlled through a planning condition requiring such details as part of a construction management plan.

### **Noise and disturbance**

78. A Noise Assessment accompanies the Environmental Statement, which has been fully considered and assessed by the Environmental Health Manager and no objections are raised to the principle of the development.

79. It is noted that it is requested prior to commencement some additional noise survey work is requested in respect of road traffic noise and low frequency noise to ensure that the associated noise levels are no greater than identified within the submitted noise report. Planning conditions to control these aspects are suggested which will also ensure that future residents are protected from these impacts should the need arise. Additionally, conditions are recommended in respect of controlling construction activities on site and to mitigate noise and disturbance during these works which will include controls of any piling foundations.



80. As detailed above, it is anticipated that the proposed construction activity will generate a degree of dust and disturbance and suitable conditions to control these issues are recommended to be controlled which will ensure that the amenity of existing neighbouring properties are not adversely affected during the construction of the site.

### **Drainage and Flood Risk**

81. The applicant has submitted further drainage information which includes the provision of SUDS ponds and swales to assist with the attenuation of the surface water run-off and it is noted that the Lead Local Flood Authority (LLFA) consider sufficient information has been provided to demonstrate that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. However a detailed design for the management of surface water runoff from the proposed development is still required and a condition is recommended to secure this detail.
82. The Environment Agency and Northumbrian Water have raised no objections subject to the imposition of recommended conditions and informatives and those requested elements are detailed within the schedule of conditions.

### **Ground and Soils**

83. Chapter K of the Environmental Statement considers and addresses the implications of the application on ground conditions and soils. It includes a detailed site investigation assessment and suggestions of mitigations measures to be undertaken during the construction phase ensuring that the associated impacts on the environmental and geotechnical conditions are within acceptable levels.
84. Planning conditions in respect of unexpected land contamination and a Construction Environment Management Plan (CEMP) are recommended, with the later covering excavations, piling, construction methods and measures to protect habitats and wildlife during the construction phase.

### **Waste provision**

85. Under policy SD8 development proposals are required to provide appropriate mechanisms for waste recycling, storage and collection. As with other new residential development proposals the Councils planning obligations SPD seeks to secure such provision through a commuted lump sum where they are not provided on site. However, in this instance a planning condition is recommended to secure this requirement.

### **Nutrient Neutrality**

86. Following advice from Natural England in March 2022 with regards to the unfavourable condition of the River Tees due to excess nutrients and implications of that for the Teesmouth and Cleveland Coast SPA/Ramsar. All forms of development which generate additional overnight accommodation are required to consider and assess whether there is an adverse impact resulting from the development proposals on the SPA.
87. As part of this application, an appropriate assessment has been undertaken and Natural England has seen and commented on that assessment. In summary the Appropriate Assessment notes that the proposals will increase the nitrogen arising from the development and consequently the applicant was advised that this development is deemed to have a likely significant effect on the Teesmouth and Cleveland Coast SPA/Ramsar.
88. The applicant proposes to address the increased nitrogen arising from the development through incorporating wetlands into the sustainable drainage system and by securing off site mitigation through the loss of pig-framed land and creating a woodland of 4.94ha.

89. Natural England have considered these mitigation measures and raise no objections to the application subject to conditions controlling the design, construction, completion, maintenance and monitoring of the wetlands and associated sustainable drainage system. In addition they seek controls over the delivery of the woodland and its management, both of these aspects will be secured through appropriate planning conditions and a planning obligation.

### **Crime and Anti-Social Behaviour**

90. Concerns have been raised by some of the objectors over concerns the propose development would increase anti-social behaviour. 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. There is no evidence before the Local Planning Authority which would indicate that the proposal would give rise to crime or anti-social behaviour as it would be no different to any other residential development within the area. Comments received from Cleveland Police in respect of secure by design are noted and an appropriately worded informative has been recommended.

### **Residual matters**

#### Communications Infrastructure

91. Policy TI3 of the Local Plan seeks to supports the expansion of communications networks, which includes support for ensuring the new dwellings are suitably connected to internet services. To ensure compliance with tis aspect of policy a condition requiring open ducting to be provided as part of the development is recommended to be applied.

#### Other considerations

92. Objections have been received in relation to loss of view and also loss of property value, nether of which are material planning considerations and consequently they can be given no weight in determining this application.

### **CONCLUSION**

93. The application site forms part of the West Stockton Strategic Urban Extension which alongside housing delivery at Wynyard, the WSSUE forms a key housing site within the adopted Local Plan. The principle of housing on the site has already been accepted and established within the adopted Local Plan and therefore the proposed development is in accordance with those aims and requirements of the development plan. Delivery of housing on the site would also contribute to and help to maintain the Council's delivery of 5 year housing land supply.
94. With regards to the detailed part of this planning application, the proposed appearance, scale and layout of the development is considered to be acceptable and will allow for the creation of a development which includes an attractive environment and acceptable level of the amenity for future occupiers. Equally the development can be accommodated without any undue impact on the amenity of any adjacent neighbours and as detailed in the report above, there are no technical reasons why the proposals would be unacceptable.
95. As detailed within the report above, in view of the fact that the proposal is acceptable in planning terms (subject to the identified condition and the outcomes of any viability appraisal) the application is put before members to consider the agreement to the principle of the development with the outcomes of the viability of the appraisal being delegated to the Director of Regeneration and Inclusive Growth as detailed below.

**Director of Finance, Development and Business Services**  
**Contact Officer Simon Grundy Telephone No 01642 528550**

## **WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Hardwick And Salters Lane (Pre May 2023)</b>
<b>Ward Councillor</b>	<b>Councillor Nigel Cooke</b>
<b>Ward Councillor</b>	<b>Councillor Norma Stephenson O.B.E.</b>

## **IMPLICATIONS**

### **Financial Implications:**

The proposed development if approved will result in financial contributions towards the required infrastructure to support the Strategic Urban Extension.

### **Environmental Implications:**

The proposal relates to a large scale residential development and its environmental impacts have been considered within the submitted Environmental Statement and the report above. Such considerations have included amongst others visual implications, privacy and amenity, noise and disturbance and ecological implications. In view of all those considerations, it is on balance judged that in this instance the associated environmental impacts are not considered to be significant.

### **Human Rights Implications:**

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

### **Community Safety Implications:**

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

### **Background Papers**

Stockton on Tees Local Plan Adopted 2019

#### **Supplementary Planning Documents**

SPD2 – Open Space, Recreation and Landscaping

SPD3 – Parking Provision for Developments

SPD6 – Planning Obligations

SPD – Housing (Meeting Housing Needs)

SPD – Local Deign Guide

Planning applications; 20/0191/EIS; 22/1511/FUL