

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

10 April 2024

**REPORT FOR ASSISTANT DIRECTOR OF
INCLUSIVE GROWTH AND DEVELOPMENT**

23/0888/OUT

Land Off Stoney Wood Drive, Wynyard, TS22 5SN

Outline application with all matters reserved for the erection of 2no dwellinghouses and detached garages.

Expiry Date: 12 April 2024

SUMMARY

The site relates to an approximate 0.6-hectare parcel of land off Stoney Wood Drive, Wynyard and lies on the edge of an existing and established residential area of Wynyard Woods, The Plantations. On the site is a segment of tall and established trees which provide a buffer between the site and the surrounding residential properties. The site is located within the red line boundary of 13/0342/EIS which was approved for approximately 500no homes; this development is now well underway and is established across the majority of the wider site.

Outline consent with all matters reserved is being sought for the erection of 2no dwellinghouses and detached garages. The 0.6ha plot would be subdivided into two segments and would be for the purposes of Self-Build properties.

A total of 26 letters of objections have been received by 21 contributors. The objections are principally raising concern over impact on highway safety, amenity, ecology, trees and deviation from what was stipulated within the Wynyard Masterplan. A summary of all the concerns are addressed within the report.

The proposed development has been revised to a single point of access serving both dwellings (as opposed to two separate access points). Further alterations to the scheme include a diversion of a watercourse which previous ran through the site, now proposed to run adjacent to Stoney Wood Drive and the western boundary of the plots. Following the re-consultation on the revised proposal, there are no objections from any of the technical consultees. It is considered that the revised development has addressed the previous concerns, and the application is therefore recommended for approval subject to the conditions set out within this report.

RECOMMENDATION

That planning application 23/0888/OUT be approved subject to the following conditions and informative:

01 Time Period

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

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

02 Approved Plans

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

Plan Reference Number	Date Received
CPT_320_SELF_BUILD_PL03	25 March 2024
CPT_320_SELF_BUILD_PL02_B	8 February 2024
CPT_320_SELF_BUILD_PL10	8 February 2024
CPT_320_SELF_BUILD_RED_LINE_A3L_PL 01_1 REVC	8 February 2024

Reason: To define the consent.

03 Reserved Matters Details

Details of the access, appearance, landscaping, layout, and scale of each phase of the development, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before development of the phase concerned begins, and the development shall be carried out as approved.

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

04 Reserved Matters Submission

An application for the approval of reserved matters shall be made to the Local Planning authority not later than three years from the date of this permission.

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

05 Design Code

Notwithstanding the submitted Design Code prior to the submission of a Reserved Matter Application a revised design code shall be submitted to and approved in writing by the Local Planning Authority. The revised design code shall provide clear guides as to scale and massing to consider minimum and maximum eave and ridge height, clear build zone to include front and side build zones, placement of detached garages, landscaping both hard and soft and boundary treatments. Thereafter the Reserved Matters applications shall comply with the design Code.

Reason: To ensure a high quality form of development.

06 Buffer Landscaping

No development shall commence until a structure plan with full details of a buffer landscaping scheme to the eastern boundary of the site has been submitted to and been approved in writing by the Local Planning Authority.

The associated scheme will include a detailed planting plan and specification of works (including associated underplanting) indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for tree pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans.

All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following commencement of the development and shall be completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

07 Tree Protection

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no development shall commence until an Arboricultural Method Statement and Tree Protection Plan is approved in writing by the Local Planning Authority. This must be in close accordance with:

1. BRITISH STANDARD 5837:2012 Trees in relation to design, demolition and construction – Recommendations
2. BRITISH STANDARD 3998:2010 Tree Work - Recommendations
3. NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007

Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

Reason: To protect the existing trees on and immediately adjacent to the site (within 10m) that the Local Planning Authority consider provide important amenity value in the locality.

08 Construction Management Plan

No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:

- (i) the site construction access(es)
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- (vi) measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site;
- (vii) measures to control and monitor the emission of dust and dirt during construction;
- (viii) a Site Waste Management Plan;
- (ix) details of the routing of associated HGVs;
- (x) measures to protect existing footpaths and verges; and a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and residential amenity.

09 Site Levels

Prior to the commencement of the development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that earth-moving operations, retention features and the final landforms resulting are structurally sound, compliment and not detract from the visual amenity or integrity of existing natural features and habitats.

10 Unexpected Land Contamination

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

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

11 Surface and Foul Water Drainage

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

- i. Detailed design of the surface water management system;
- ii. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- iii. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- iv. Details of adoption responsibilities.

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

12 Construction Hours

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

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

13 Open Access

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

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

14 Ecology

All ecological mitigation measures shall be carried out in accordance with the recommendations and mitigation (section 6.0) within the submitted ecological appraisal conducted by OS Ecology LTD received by the Local Planning Authority on the 2nd April 2024.

Reason: To conserve protected species and their habitat.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.

Informative: Tree Standards

The following British Standards should be referred to:

- a. BS: 3882:2015 Specification for topsoil
- b. BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations
- c. BS: 8601:2013 Specification for subsoil and requirements for use
- d. BS: 5837 (2012) Trees in relation to demolition, design and construction –Recommendations
- e. BS: 3998:2010 Tree work – Recommendations
- f. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- g. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- h. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- i. BS: 4043:1989 Recommendations for Transplanting root-balled trees

Informative: Northern Gas Networks

There may be apparatus in the area that may be at risk during construction works and NGN require the promoter of these works to contact NGN directly to discuss their requirements in detail. Should diversionary works be required these will be fully chargeable.

Informative: In a Smoke Control Zone

As the property is within a smoke control area the occupant is to comply with the following:

- Only burn authorised fuels- a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/fuels.php?country=e>
- Certain types of coal and wood can be burnt in smoke control areas but these are only to be burnt on DEFRA approved appliances; a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/appliances.php?country=e>

The appliance is to be installed by an approved contractor and certificates of the work to be submitted to the Local Authority.

Informative: Noise from construction activities

Compliance with the recommendations set out in BS5228:2009+A1:2014 'Code of practice for Noise and Vibration Control on Construction and Open Sites' including measures to control and limit noise emissions and vibration levels should be complied with to the satisfaction of the Local Authority.

Noise levels will not exceed 55 dB LAeq (1 hr) during the daytime (07:00 – 23:00); or 45 dB LAeq (1 hr) during the night-time (23:00 – 07:00); or 60 dB L_{Amax} (15 mins) during the night-time (23:00 – 07:00) as determined by measurement or calculation at free field locations representing facades of nearby residential dwellings. In relation to the effects of construction vibration upon the surroundings, the Peak Particle Velocity (PPV) should be less than 0.5 mm/s, measured using BS 5228 2009, Part 2: Vibration (BSI, 2014v).

Informative: Dust Emissions

A scheme should be provided to control dust emissions, such as dampening down, dust screens and wheel washers to prevent mud being tracked onto the highway. Mobile crushing and screening equipment shall have any appropriate local authority PPC permit required and a copy of this permit available for inspection

Informative: Reserved Matters

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

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

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

"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

"scale" means the height, width and length of each building proposed within the development in relation to its surroundings;

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

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

SITE AND SURROUNDINGS

1. The application site, hereby referred to as the site, is a large section of land approximately 0.6ha in size which is currently undeveloped comprising of large Plantation Trees.
2. The site as existing is undeveloped, however, previous extant planning permissions for residential housing developments cover the area of the site (Ref: 13/0342/EIS) and would eventually be accessed via Stoney Wood Drive once built out.
3. To the north of the site are residential dwellings situated on Maynard Grove. To the east are residential dwellings situated on The Plantations. To the south and west remain largely undeveloped at present, however, extant planning permissions for large-scale residential developments are currently being built out.

PROPOSAL

4. Outline planning consent with all matters reserved is sought for the erection of 2no dwellinghouses (self-build) with associated detached garages.
5. During the course of the application, several amendments have been made to accommodate and alleviate the concerns of officers regarding the diversion of a watercourse running through the site and an alteration to the site access point.

CONSULTATIONS

6. The following consultation responses have been received as set out below (in summary):-

Highways Transport & Design Manager - Subject to the conditions set out below the Highways Transport and Design Manager raises no objections to the proposals.

Highways Comments

There are no highways objections to the proposals.

Landscape & Visual Comments

Following a site visit and submission of the updated drawing it is now clear that a buffer of existing trees is to be retained along the eastern edge of the site adjacent to the existing houses. Planting alongside the footpath to the north is outside the site boundary, and will therefore also be retained as a green corridor along the footway. It is proposed to underplant the existing buffer with new tree planting, and details should be secured by condition.

Details of hard landscaping and enclosure will be required. A tree protection plan will also be needed prior to commencement of works on site, but this may be secured by condition.

Flood Risk Management

The Lead Local Flood Authority have reviewed the information submitted and have no objection to the proposals.

No works can commence on the watercourse until Land Drainage Consent has been approved by the Lead Local Flood Authority. Consent is separate from the planning process and can take up to 8 weeks to determine.

Environmental Health – No objections should the recommended conditions be implemented.

Natural England – No objections.

Northern Gas Networks – No objections, however, there may be apparatus in the area.

Northumbrian Water – No comment.

PUBLICITY

7. Publicity has been given to the planning application through neighbour notification letters. At the time of writing, there are a total of 21 objectors contributing 26 objections with their comments summarised as below.

Objection comments summarised;

- Concerns regarding privacy
- Overlooking/separation distances
- Devaluation of property
- Deviation from Wynyard Masterplan/Local Plan
- Concerns regarding overdevelopment
- Concerns around water diversion
- Concerns about trees and visual amenity lost
- Concerns around precedent
- Concerns around motivation of profit
- Concerns regarding character of the area
- Concerns regarding highway safety/traffic issues
- Concerns regarding surface water drainage/flood risk
- Concerns regarding light pollution

- Concerns regarding parking
- Concerns around local plan compliance
- Concerns regarding right to a view
- Concerns regarding overshadowing
- Concerns relating to wildlife/ecology
- Concerns regarding construction traffic management
- Concerns regarding existing and future soft landscaping

PLANNING POLICY

8. 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.
9. 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

10. 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.
11. 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.

Paragraph 115. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 135. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 136. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

Local Planning Policy

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

Policy 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.

Policy SD2 – Strategic Development Needs

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

2. To meet the housing requirement of 10,150 new homes over the plan period a minimum of: a. 720 dwellings (net) will be delivered per annum from 2017/18 to 2021/22. b. 655 dwellings (net) will be delivered per annum from 2022/23 to 2031/32.

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

Policy SD3 - Housing Strategy

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land. Should it become apparent that a five year supply of deliverable housing land cannot be identified at any point within the plan period, or delivery is consistently falling below the housing requirement, the Council will work with landowners, the development industry and relevant stakeholders and take appropriate action in seeking to address any shortfall.
2. The following are priorities for the Council:
 - a. Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision; this includes the provision of housing to meet the needs of the ageing population and those with specific needs.
 - b. Providing accommodation that is affordable.
 - c. Providing opportunities for custom, self-build and small and medium sized house builders.
3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through:
 - a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (as identified on the Policies Map) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include: Queens Park North, Victoria Estate, Tees Marshalling Yard and Land off Grangefield Road.
 - b. Supporting residential development on sites within the conurbation as defined by the limits to development which comprises the main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm.
 - c. Creating a Sustainable Urban Extension to West Stockton.
 - d. Promoting major new residential development at Wynyard leading to the area becoming a sustainable settlement containing general market housing and areas of executive housing in a high-quality environment.
 - e. Supporting residential development in villages (as shown on the Policies Map) through the recognition of existing commitments and new build within the limits to development where the land is not allocated for another purpose.

Policy 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.
 - d. Enhancing woodlands and supporting the increase of tree cover where appropriate.
 - 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.
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.

Policy 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.

Policy 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:

- d. Wynyard Sustainable Settlement.

Policy H3 - Wynyard Sustainable Settlement

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

1. Deliver approximately 1,644 new dwellings within Stockton-on-Tees Borough, with 544 dwellings at Wynyard Village (Policy H1.2.W1 and H1.2.W2) and approximately 1,100 dwellings (Policy H1.7) on Wynyard Park.

Policy 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.
6. Provide green infrastructure and open space in accordance with ENV6.
8. Utilise Design Codes detailing important design elements for the development to ensure a consistent approach to quality standards.

Policy T11 – Transport Infrastructure Delivering A Sustainable Transport Network

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:
 - e. New development incorporates safe and secure layouts which minimises conflict between traffic, cyclists or pedestrians.

Policy T13 - Communications Infrastructure

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.

Policy ENV 1 – Energy Efficiency

1. The Council will encourage all development to minimise the effects of climate change through meeting the highest possible environmental standards during construction and occupation. The Council will:
 - a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:
 - i. Energy reduction through ‘smart’ heating and lighting, behavioural changes, and use of passive design measures; then,
 - ii. Energy efficiency through better insulation and efficient appliances; then,
 - iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then
 - iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then
 - v. Conventional energy.
 - b. Require all major development to demonstrate how they contribute to the greenhouse gas emissions reduction targets set out in Stockton-on-Tees’ Climate Change Strategy 2016; and
 - c. Support and encourage sensitive energy efficiency improvements to existing buildings.
2. Proposals are encouraged where development:
 - a. Incorporates passive design measures to improve the efficiency of heating, cooling and ventilation; and
 - b. Includes design measures to minimise the reliance on artificial lighting through siting, design, layout and building orientation that maximises sunlight and daylight, passive ventilation and avoids overshadowing.

3. All developments of ten dwellings or more, or of 1,000 sq m and above of gross floor space, will be required to:
 - a. Submit an energy statement identifying the predicted energy consumption and associated CO₂ emissions of the development and demonstrating how the energy hierarchy has been applied to make the fullest contribution to greenhouse gas emissions reduction; and
 - b. Achieve a 10% reduction in CO₂ emissions over and above current building regulations. Where this is not achieved, development will be required to provide at least 10% of the total predicted energy requirements of the development from renewable energy sources, either on site or in the locality of the development.

Policy 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.
11. To reduce the risk of flooding the Council is working in partnership with the Environment Agency to deliver a Flood Alleviation Scheme on Lustrum Beck.

Policy ENV5 – 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.
4. Sites designated for nature or geological conservation will be protected and, where appropriate enhanced, taking into account the following hierarchy and considerations:
 - c. Locally designated sites: Development that would have an adverse effect on a site(s) will not be permitted unless the benefits of the development clearly outweigh the harm to the conservation interest of the site and no reasonable alternatives are available. All options should be explored for retaining the most valuable parts of the sites interest as part of the development proposal with particular consideration given to conserving irreplaceable features or habitats, and those that cannot readily be recreated within a reasonably short timescale, for example ancient woodland and geological formations. Where development on a site is approved, mitigation or where necessary, compensatory measures, will be required in order to make development acceptable in planning terms.
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.
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.

Policy 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.

Policy 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.

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.

Supplementary Planning Document 1: Sustainable Design Guide

4.7 Character and Design

4.7.4 New dwellings should be designed with significant attention given to proportions, materials and detailing, in order to provide architectural quality and to respect existing character. Porches, recessed garages, bay windows and other simple details can add a third dimension to otherwise flat-fronted dwellings, and chimneys may also be used to articulate rooflines. Such details will add architectural interest, however, form should follow function and they should not be used where they will serve little or no purpose other than aesthetic.

4.7.6 Particular consideration should be paid to the design of buildings in corner locations. These properties will be prominent within the development and can aid navigation through the site. They can also provide greater security by having windows that face in different directions and by preventing gable walls from facing the street.

4.8 Privacy and Amenity

4.8.2 The Council will normally expect a minimum of 21 metres separation to be provided between the main habitable room windows on facing residential properties. Where main habitable room windows will face windows of secondary rooms, such as bathrooms and hallways, or a blank gable, there should normally be a gap of at least 11 metres between the two properties. However, it is advisable to seek pre application advice, should a development involve this relationship, as the required separation distance will depend upon individual circumstances and may need to be increased.

MATERIAL PLANNING CONSIDERATIONS

13. The main planning considerations of this application are the principle of development, the impacts on the character of the surrounding area, the impact on the amenity of the surrounding residential occupiers, highway safety related matters, ecology, flood risk and other material planning considerations.

Principle of Development

14. The National Planning Policy Framework (2019) is clear in the purpose of the planning system which 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. The NPPF also includes a number of core planning principles, one of which is the need to identify and meet housing needs as well as respond positively to wider opportunities for growth.

15. The relevant Local Plan Policies under consideration within this application are policies H1 and H3. The Wynyard settlement forms a significant portion of the Councils identified 5 year housing supply and remains a high priority area in order to meet and maintain a five-year supply of housing land.
16. The site is located within the overarching boundary of a previous planning approval for approximately 500no homes (Ref: 13/0342/EIS). The original outline consent was capped at 500 dwellings. Subsequently, reserved matters planning permissions have been granted for the majority of these 500no homes, leaving a pocket of land where the principle of development has been accepted.

17. This issue was considered in the Wynyard Masterplan which identified that:

‘For completeness the Strategic Framework Plan provides an indicative layout of how the residual area of the planning commitment at Wynyard Village can be developed, as well as opportunities for a relocated Local Centre. This area falls within the planning commitment for Wynyard Village which has previously been limited to 500 dwellings due to highway capacity. Development would only be allowed to come forward where it is appropriately designed, that highway capacity has been demonstrated, and that the proposal contributes to the delivery of required infrastructure.’

18. As detailed with the report below, the Highways Transport and Design Manger has not raised any objection to the highway’s capacity and impact. In addition to this, the development is classified as minor development and does not meet the requisite requirement to consult with National Highways as per the requirements of the Development Management Procedure Order 2015. It is therefore considered that the principle for residential housing on this land has been accepted.

Impact upon the Character of the Surrounding Area

19. The National Planning Policy Framework paragraph 135 requires that developments should not only maintain a strong sense of place but should improve the quality of the area. Developments should also be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
20. The adopted Local Plan encourages high standards of design with Local Planning Policy SD8 setting out that new developments should be appropriate to the context of the surrounding area and be of an appropriate style, proportion and materials to the main building.
21. The application site is located within an area marked for new residential development (Ref: 13/0342/EIS) and lies within a boundary for approximately 500no homes; at the time of writing, this development has substantially progressed. To the north and to the east of the site lie existing and established residential dwellings such as The Plantations.
22. Although the existing character of the immediate site is that of woodland and partial open space, the site is surrounded by residential development and the premise of 2no dwellings in this location is not considered to appear out of keeping with existing and proposed developments for this area of Wynyard.

23. As this in an outline consent, the finer details of height, design and materials can be controlled through the reserved matters application. The submitted design code makes reference to this in some detail and in principle could be appropriate in terms of reflecting the character of the existing residential properties for this area. However, given that the site would be a prominent feature point when transitioning through one part of the estate to another on the main Spine Road, further details in relation to the Design Code are required to ensure a satisfactory form of development, and a planning condition is recommended to control this aspect.
24. A woodland buffer is positioned to the eastern portion of the site which would provide a degree of screening between the proposed dwellings and the dwellings sited on The Plantations. Concerns have been raised by neighbouring residents with regards to the loss of trees on site and although trees have been removed a buffer of trees approximately 10m in depth is retained at the site. However, the existing trees and those removed from the site are considered to be of a low-quality plantation species, with most that were removed either dying or damaged.
25. Notwithstanding the above, the Council's Landscape Officer has visited the site and considers that a replacement scheme would provide a greater mix of woodland species that would provide a denser buffer with underplanting which would over time provide a more appropriate screening mechanism between the dwellings to The Plantations and the proposed dwellings. Given the requirement for this buffer landscaping a planning condition is therefore recommended.
26. It is conceded that the removal of trees on site in the short term would negatively impact upon the character of the area. However, the revised planting scheme along with the implementation of under storey planting would provide a sympathetic and appropriate approach to providing a tree buffer within a residential curtilage and ensuring that the overall character of the area is retained. It is therefore considered that subject to an appropriate forthcoming planting scheme, the premise of the partial removal and understorey planting would be acceptable in this instance.

Impact upon the Amenity

27. Planning Policy SD8 and NPPF Paragraph 135 seek to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings.
28. The Council's Householder SPD1(4.8) provides guidance on appropriate separation distances between residential properties with a minimum of 21 metres separation distance between the main habitable room windows and a separation distance of 11 metres where main habitable room windows will face windows of secondary rooms or blank elevations. Such a physical separation along with the scale and siting of the proposed dwelling would ensure that the amenity of the respective occupiers would be safeguarded with regards to privacy, light and not resulting in an overbearing presence.
29. The closest neighbouring dwellings to the proposed dwellings would be the residential properties to the east (The Plantations). Therefore, separation distances have been calculated principally to these dwellings. An indicative site plan has been provided which shows that separation distances between the proposed dwellings and dwellings on The Plantations at its minimum distance are approximately 27 metres away.
30. The separation distances between each dwelling, Plots 1 & 2, are in excess of 21 metres and it is considered that the amenity of the future occupiers could be secured.
31. Notwithstanding the above, as this is an outline application, the siting of residential development can be assessed in full at the reserved matters stage against technical

standards. However, in principle it is considered that satisfactory distances can be achieved subject to appropriate positioning of these dwellings and has been controlled by condition to mitigate potential for overlooking, overbearing or overshadowing impacts. Window positions can also be controlled and so the provision of 2no dwellings on this site is considered to be acceptable.

32. As discussed within the character section of this report, a woodland buffer would be retained and further under storey planting secured which would mitigate amenity concerns by providing a physical buffer between the proposed dwellings and the adjacent residential properties. It is considered that the existing trees on site provide minimal screening benefits due to their physical form with branch and leaf coverage within the tall canopy. A smaller, more appropriate under storey planting is considered to provide a more suitable screening mechanism for the site and the surrounding sites.
33. The Environmental Health Unit have assessed the application and have no objections to the proposal subject to the relevant conditions being implemented.

Highway Safety

34. Concerns have been raised by neighbouring residents regarding the impact on traffic generation, vehicular access and highway safety. Whilst these concerns are noted, the implementation of the access as shown and the limited additional traffic that proposed 2no dwellings would generate, would not adversely affect the wider highway network, nor would it have an adverse impact on pedestrian and highway safety.
35. Revised plans were sought through the planning process to limit the number of access points onto Stoney Wood Drive, from 2no access points to 1no access point which was considered to be out of character with the surrounding developments. The Highways Transport & Design Manager is satisfied that the amendment to the access is suitable and whilst the illustrative plans comply with the SPD in terms of the size of the car parking spaces and the proposal would therefore be in accordance with NPPF paragraph 115, this can be further addressed through the submission of the Reserved Matters.
36. Subject to the imposition of the recommended conditions on the decision notice, it is considered that the proposed development would provide suitable access and would not have an adverse impact on the safety of the highway network.

Ecology

37. Comments received have suggested that the proposed development would result in a loss of habitat and cause harm to the ecology within the area. An Ecology Appraisal has been conducted for the site, the report concludes that the site is of low ecological value, however a number of mitigation, compensation and enhancement measures have been recommended. It is recommended that conditions are imposed on an approval in support of the recommendation of the ecological appraisal. . With respect to any trees and hedges removed, replacement trees and landscaping would be re-provided, which would re-provide habitat in this area. Subject to the recommended conditions, the proposed development is considered to be acceptable.
38. The mandatory requirements for BNG are set to come into effect from February 2024 which requires developers to provide a minimum of 10% net gain in biodiversity measured in accordance with Biodiversity Metric 3.0. Whilst a net positive biodiversity gain would be welcomed for the proposed development; there is no mandatory requirement by developers to provide BNG for this application at this time.

Flood Risk

39. Residents have raised concerns with respect to existing drainage issues within the wider area and have also suggested that the removal of trees on site would remove a natural drainage solution. These measures have been controlled via planning condition and will be considered at subsequent discharge of conditions applications.
40. As existing, an open watercourse flows through the site. Through negotiations with the applicant, the line of the existing watercourse has been diverted away from the proposed siting of the dwellings and running parallel between Stoney Wood Drive and the western curtilage of the plots. The red line boundary of the site was extended, and the relevant statutory consultations have taken place to facilitate the diversion of the culvert.
41. The Lead Local Flood Authority have reviewed the amendments to the scheme and have no objections to the proposal. It is therefore considered that this aspect of the development is acceptable.

Nitrate Neutrality

42. As advised by Natural England, the Wynyard site falls out of scope of the requirements of Nutrient Neutrality. The Billingham/Seaton Carew Wastewater Treatment Works discharge via a long sea outfall to the North Sea. Therefore, a significant effect on the Teesmouth & Cleveland Coast SPA and Ramsar site from discharges of nitrates from new development to Billingham/ Seaton Carew Wastewater Treatment Works can be excluded.
43. Notwithstanding the above, the requirement to discharge surface and foul water conditions will be controlled via planning conditions attached to this outline consent.

Other Matters

44. Comments raised regarding devaluation of property and a right to a view are not a material planning consideration and will not be considered.
45. Comments received have suggested that the development of the site would set a precedent for similar proposals to come forward. Whilst the comments are noted, it is considered that the application presents a set of site-specific circumstances. Each application thereafter would be assessed on its own merits.

CONCLUSION

46. Given the indicative drawings provided, it is considered that the proposal can satisfactorily accommodate the additional two dwellings within the site without affect the character of the area, amenity of neighbouring residents or highway safety. It is recommended that the application be Approved with Conditions for the reasons specified above.

ASSISTANT DIRECTOR OF INCLUSIVE GROWTH AND DEVELOPMENT

Contact Officer Joe Port. Telephone No. 01642 524362

WARD AND WARD COUNCILLORS

WARD	Northern Parishes
Ward Councillor	Councillor Vanessa Sewell
Ward Councillor	Councillor John Gardner

IMPLICATIONS

Financial Implications:

Not Applicable.

Environmental Implications: Matters relating to visual impacts, including the retention of trees/landscaping and ecology have been considered in the report above.

Human Rights Implications:

Not Applicable.

Community Safety Implications:

Not Applicable.

Supplementary Planning Documents

SPD1 – Sustainable Design Guide

SPD3 – Parking Provision for Developments

Background Papers:

National Planning Policy Framework

Stockton on Tees Local Plan Adopted 2019

Wynyard Masterplan Adopted 2019