

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
6 October 2024
REPORT OF ASSISTANT DIRECTOR OF
INCLUSIVE GROWTH AND DEVELOPMENT**

**24/0430/REM Land West Of Maynard Grove, Wynyard Village, Wynyard
Application for reserved matters approval (appearance, landscaping, layout and scale) for a
new local centre with associated hard and soft landscaping pursuant to planning consent
LPA Ref. 20/2408/OUT**

**Expiry Date: 14 June 2024
Extension of Time Date: 8 November 2024**

SUMMARY

Reserved Matters is sought for appearance, landscaping, layout and scale for a new local centre with associated hard and soft landscaping pursuant to planning consent LPA Ref. 20/2408/OUT.

The principle of a local centre including the provision of a community facility was established, in application ref 20/2408/OUT this application is not looking to establish the principle of the development, it therefore focuses on the site specific material considerations.

A total of 31 letters of objection have been raised along with 7 letters of support.

The nature and scale of the development is considered to be acceptable, and that the site could satisfactorily accommodate the proposal without any undue impact on the character of the area, amenity of any adjacent neighbours or highway safety.

The technical consultees and officers have reviewed all the supporting information and have, concluded that the proposed development would result in a satisfactory form of development subject to the imposition of the recommended conditions.

The proposed development would offer both economic and social benefits through the construction of the commercial units and community facility. These are all benefits which weigh in favour of the proposal albeit they need to be balanced against other material planning considerations.

To summarise, the proposal is deemed to be in accordance with policies in the Development Plan and therefore the recommendation is to approve the application subject to the conditions set out in the report below.

RECOMMENDATION

That planning application 24/0430/REM be approved subject to the following conditions and informatives and subject detailed below;

Approved Plans

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

Plan Reference Number	Date Received
PL-LC-04_REVC	17 September 2024
2044-04C	17 September 2024
4982-XX-XX-DR-E-200	17 September 2024
PL-LC-03_REVC	17 September 2024
PL-LC-05_REVB	17 September 2024
PL-LC-06_REVB	17 September 2024
PL-LC-07_REVC	17 September 2024
PL-LC-08_REVC	17 September 2024
PL-LC-09_REVC	17 September 2024
PL-LC-10_REVC	17 September 2024
QD1898-03-03-D	17 September 2024
PL-LC-02	17 September 2024

Reason: To define the consent.

Service Management Plan

- 02 The development hereby approved shall be carried out in full accordance with the Service Management Plan, received by the Local Planning Authority on the 17 September 2024

Reason: to ensure the safe functioning of the highway and to protect the amenity of the occupiers of the adjacent property in accordance with local plan policies xx and the NPPF

Bin/ Refuse

- 03 Prior to the occupation of the development hereby approved each unit should be provided with the appropriate means of waste and recycling provision in accordance with the applicable Council standards.

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

External Materials

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

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

Hard landscaping and street furniture

- 05 No above ground construction shall take place until full details of proposed hard landscaping including street furniture have been submitted to and approved in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority and in

accordance with the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area and in accordance with Policy SD8

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

BACKGROUND

1. Outline planning permission was granted by Planning Committee on the 24 November 2021 under application ref 20/2408/OUT for the erection of up to 130 dwellings and new local centre with associated landscaping and ancillary works.
2. The application was granted subject to the signing of a S106 Agreement which, amongst others secured the provision of approximately 1000sqm local centre to be delivered by the occupation of the 100th dwelling. The S106 also secures the provision of a minimum 100 sqm of a community facility.
3. Reserved matters permission was granted for the appearance, landscaping, layout and scale for the erection of 130 dwellings to include associated infrastructure works, in June 2023, ref 22/2561/REM.

SITE AND SURROUNDINGS

4. The application site, hereby referred to as the site, was predominately a series of agricultural fields with woodland plantations (conifers). To the north lies a series of residential developments which form the wider Wynyard Village development. To the south lies Brierly Beck, to the east the Castle Eden Walkway and to the south east lies Wynyard Hall which is grade II* listed and the associated historic parkland which is also registered.
5. The dwellings approved under app ref 22/2561/REM are under construction.

PROPOSAL

6. Reserved Matters approval is being sought for appearance, landscaping, layout and scale for the erection of a local centre along with hard and soft landscaping, drainage and associated infrastructure pursuant to planning consent LPA Ref. 20/2408/OUT on Land at Wynyard Village.
7. The proposed local centre would comprise of two buildings, and together with the approved apartment building (approved under application ref: 22/2561/REM) would form an enclosed courtyard, with car parking and external terrace in the centre. Access would be gained from the main spine road (Stoney Wood Drive) which has been constructed as part of the existing developments ongoing to the north and east.
8. The centre would be served by No.46 car parking spaces including disabled and electric charging bays and bicycle stores.

9. No end users have been identified for any of the units, with the exception of the Village Hall, identified as Unit 5.
10. The breakdown of the units is as follows;
- Unit 1 198.65m2 E class
 - Unit 2 57.94m2 E class
 - Unit 3 57.94m2 E Class
 - Unit 4 57.94m2 E Class
 - Unit 5 120.7m2 Village Hall D Class
 - Unit 6 426.6m2 E- F Use Class
 - Unit 7a 440m2 E Class
 - Unit 7b 55m2 E Class
11. Following receipt of a number of the objection's revised plans and updated supporting information was submitted in support of the highway concerns and to make it clear that at the time of submission, and as is still the case no end users have committed to the centre, it was felt that the previous submission was misleading as indicated users had already been identified.

CONSULTATIONS

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

Canal & River Trust (Former British Waterways) - We do not object to the changes as per 1400021095

Hartlepool Borough Council - I can confirm that Hartlepool Borough Council have no objections to the application, however the following comments are provided by technical consultees for your consideration.

HBC Planning Policy: support having a local centre north of the A689 and it is trusted that SBC will consider the design, scale and layout.

HBC Traffic and Transport - There are no highway concerns with this application.

HBC Arboricultural Officer: There is no arboricultural concern for Hartlepool Borough Council.

Tees Archaeology - The proposed development site has already been archaeologically assessed and no further work is needed.

Natural England - Natural England has no comments to make on this reserved matters application.

National Grid -Regarding planning application 24/0430/REM at site location 'Land West Of Maynard Grove ' there are no National Gas assets affected in this area.

Highways Transport & Design Manager
General Summary

The Highways Transport and Design Manager raises no objections to the proposals.

Highways Comments

The applicant has provided a site layout plan, car parking accumulation survey and a service management plan which includes tracking for a refuse vehicle.

Based on the information submitted the proposed development is broadly in line with the Councils design guide and the submitted car parking accumulation survey demonstrates that the proposed 40 space car park is adequate for the scale of the proposed development.

Therefore, subject to compliance with the submitted service management plan being secured by condition there are no highways objections to the proposals.

Flood Risk Management -The Lead Local Flood Authority have reviewed the information submitted to support the above proposals and have no objections.

The proposed development will be served by Phase 1 Drainage which has been approved under application ref; 23/0820/DCH.

Northern Gas Networks - there are no National Gas Transmission assets affected in this area.

Environmental Health Unit -Environmental Health would have no further comments to make regarding this application.

Parish Council -Wynyard Parish Council Objection

The background history of this Local Centre planning application is interesting. 24/0430/REM lies within the approved planning application 20/2408/OUT (approved in December 2022 for 130 houses plus Local Centre). In turn, 20/2408/OUT lies within the red line boundary of 13/0342/EIS, an approved (January 2017) outline planning application for a maximum of 500 houses.

The following statement is contained within the Officers Report following approval of a variation (23/0225/VARY) of the 20/2408/OUT permission:-

"BACKGROUND

An outline application with all matters reserved was approved for the construction of up to 500houses, Primary School (inc Sport Facilities) and nursery, Retail Units (up to 500 sqm), Doctors

Surgery, Community Facilities, access and associated landscaping, footpaths and open space under application refence 13/0342/EIS. The current application site formed part of that proposal,

although 500 units have been delivered without this development site. The primary school was delivered through a standalone permission (ref 17/0526/FUL).

A further outline planning approval with all matters reserved except access for residential development for up to 130 units and new local centre was approved in December 2022 under application reference 20/2408/OUT and the subsequent reserved matter application 22/2561/REM was approved in June of this year."

The sentence "The current application site formed part of that proposal, although 500 units have been delivered without this development site." is particularly significant.

Why use the past tense: "..... formed" ?- 20/2408/OUT application site FORMS part of that proposal (13/0342/EIS) approved for a maximum of 500 houses. But, with the addition of 130 houses, the maximum has been exceeded, and increased to 630. In fact, this was pointed out in an objection to 20/2408/OUT submitted by this Parish Council posted on the Planning Portal on 23rd November:-

"We object strongly to this development. This application is for another 130 homes which is a substantial increase in the number of houses planned for this particular area on top of the 500 granted in 13/0342/EIS."

However, on the Planning Portal, this Wynyard Parish Council Consultee Comment is misleadingly labelled as an Objection Comment from a member of the public.

An important component of the planning permission granted to 13/0342/EIS (the 'Wynyard Village Extension') was a legal Deed signed in January 2017 which stipulates the necessary infrastructure required to support such a large planning development - some of this infrastructure is listed in the above extract from the 23/0225/VARY Officers Report:

"..... Retail Units (up to 500 sqm), Doctors Surgery, Community Facilities"

The Deed also included a "Local Shop" and Highways infrastructure (see later). The trigger points defining when this infrastructure should be supplied were also defined within the Deed. These trigger points have come - and gone - but the facilities promised to residents have not materialised. Instead, we have approval for an 'extra' 130 houses plus a Local Centre. We do not understand the process which has led to this situation.

We have serious concerns about this planning application for the Local Centre (24/0430/REM). Wynyard residents have been let down badly by the failure to supply the infrastructure promised with the 13/0342/EIS Deed - particularly the community facilities - why has this infrastructure not been supplied?

Why have residents not been informed or consulted on these issues? What are the reasons for not fulfilling the legally defined section 106 obligations defined in the Deed - to supply Community Facilities, a Local Shop, a Doctors Surgery - and Highways upgrades? Why and how have these obligations been replaced by a Local Centre within an 'extra' 130 house planning application?

Wynyard Parish Council do not, in principle, object to the provision of a Local Centre if it gives residents the overdue facilities they were promised, but we must object to 24/0430/REM for several important reasons:-

1. this application does not provide a Local Shop (i.e. a convenience store similar to the Co-op at the Stables) or a Doctors Surgery (medical facilities). The 'medical' facilities mentioned in the application are cosmetic facilities.
2. the proposed number of car parking spaces (42 in the original application - 19/04/24) is inadequate for this local centre - the council Highways, Design & Transport Manager objected to the proposals due to the "significant shortfall in parking provision which may result in injudicious and indiscriminate parking to the detriment of highway safety." His estimate of the car parking spaces required was 148.
3. subsequently, following submission of additional data by the developers, the Highways Manager withdrew his objection, stating (06/08/24): "Based on the information submitted the proposed development is broadly in line with the Councils design guide and the submitted car parking accumulation survey demonstrates that the proposed 40 space car park is adequate for the scale of the proposed development."
4. in our opinion, the number of parking spaces is seriously inadequate; the layout of the parking area (one entry and one exit) could cause congestion; delivery and refuse collection vehicles using the same area would add to congestion and cause danger (particularly to children).
5. levels of noise and pollution may become unacceptable.

We are surprised and concerned by the fact that there is significant 'fluidity' in the specifications of this planning application, i.e. recent (17th September) amendments have appeared on the Planning Portal:-

1. the size of the Village Hall has been reduced by one third
2. the restaurant has been replaced by a veterinary facility

How far can this 'fluidity' be taken? What will we end up with? Is it feasible that the spaces intended for retail facilities will end up as residential apartments?

Compare this with the 13/0342/EIS Deed, in which section 106 infrastructure was clearly defined - but ignored! How can these section 106 agreements be ignored? If there was any dispute between the developers and Stockton Borough Council with regard to costs, were any attempts made to resolve such disputes according to the provisions laid down in the Deed?

Page 7 of the Deed: 13. Resolution of Disputes ("Appointment of Expert")?

The provisions within the Deed have not all been ignored - the requirements for Hartlepool Borough Council to signalise the A689/Meadows roundabout and provide a pedestrian crossing were fulfilled in 2021 - years ahead of the trigger point obligations.

Contrast with the obligations of Stockton Borough Council to upgrade the A689/Hazard Drive roundabout junction - and install a pedestrian/cycleway bridge over the A689 at this location. The trigger points for these works have come and gone (years before the pandemic, the rise in inflation or the Ukraine War?). The lack of a pedestrian crossing continues to present a serious health and safety hazard to Wynyard residents. However, in contrast, funds have been secured to upgrade the A19/A689 junction - which is required to handle the traffic generated by further Wynyard planning applications, and to build more houses.

Does this imply that Stockton Borough Council prioritises the provision of infrastructure which permits further house building, above that which protects the health and safety of Wynyard residents?

Environmental Health Unit - I have checked the documentation provided, I have found no grounds to object to the principle of this application and I do not think that conditions need to be imposed from an Environmental Health perspective at this time as I understand from the Planning Compliance Report further permissions are to be sort once the end user has been identified.

SBC Place Development Manager -The applicant is advised to review the Local Design Guide Supplementary planning document - See Section 3.5 "Placemaking" for guidance on shop fronts Local Design Guide; Supplementary Planning Document (stockton.gov.uk), as well as further technical guidance within Part 5 Shop fronts and advertisements Part 5 Shop Front Design and Advertisements; Technical Guidance and Standards (stockton.gov.uk).

The new local centre should provide a distinctive and characterful hub for the surrounding residential community. As such, a high quality and considered palette of materials should be implemented. It is recommended that the location, scale and style of shop fronts and signage are considered as part of a holistic approach, rather than taking a standard approach per individual retailers. Further detail is sought on the approach to signage

Following receipt of the revised plans the Place Team have confirmed that the layout is acceptable.

Northumbrian Water Limited -I can confirm that we have no comments to make.

MP Mr Chris McDonald- I am writing to support the views of Wynyard Parish Council and local residents who have raised thoughtful concerns regarding planning application 24/0430/REM for the next phase of development in Wynyard.

While I understand the importance of housing development in our area, I believe that expanding our communities should mean more than just building homes. It should include a commitment to creating well-rounded, sustainable communities equipped with the essential facilities and infrastructure to support new and existing residents alike. Since 2017, the community has waited for promises of a local shop, doctors' surgery, and other community amenities to be delivered. These facilities, alongside a safe and accessible transport and pedestrian infrastructure, are crucial for the well-being and quality of life of the residents.

As part of this planning process, I encourage a full review of the current proposal's provision for these facilities and an evaluation of the proposed parking arrangements. In particular, residents are concerned that current parking plans may fall short, potentially leading to congestion and safety issues. Additionally, recent amendments to the Local Centre's plans - such as the reduction of community space and replacement of certain amenities - need to be clarified and communicated to the community to avoid further confusion.

I ask that the developer and Stockton Borough Council address these points openly and prioritise the completion of promised infrastructure so that residents can feel confident that development is aligned with their needs and the long-term interests of Wynyard

PUBLICITY

13. A site notice and a press advert were displayed/published. A summary of the representations has been provided below; the full representations can be viewed on the public access.

Support

- The CHD plan, provision for local amenities, which was the deciding factor to reserving our new home as this is in walking distance for us.
- Wynyard is in need of more facilities
- Modern and attractive addition to our area.
- Will provide social benefits
- Development will be developed
- Essential development for enhancing the quality of life
- Match existing parking at the existing local centre
- Many local residents will be within walking distance,
- The insistence on perfection by some stakeholders is preventing the implementation of other improvements to the estate
- Convenience and Accessibility
- Approval of this application does not necessarily mean that the provision of additional and essential amenities (e.g., a GP surgery) is precluded in due course.
- Support local economy
- Sustainable

Object

- Wynyard turning from an exclusive estate, to an overcrowded ghetto.
- Restaurant will encourage people to Wynyard
- Inadequate parking
- Development has no style or individuality.
- No need for the facility
- Wynyard already over developed
- The site proposed for this development lacks safe public traffic access.
- Destruction of wild life habitat

- Facilities proposed are not reflective of wants
- Developer wont provide the facilities
- The service management plan submitted by CHD is inadequate,
- Breach of Section 106 Agreement Obligations – original application
- Inadequate Community Consultation and Material Changes
- Breach of Infrastructure Trigger Points
- Health & Safety provision of residents.
- Loss of green space
- The proposed plans are not part of the agreed local plans for Wynyard
- The proposed restaurant is too small
- The proposed restaurant is too big
- There is insufficient information on the village hall, (which would be a useful addition to Wynyard) and who would pay for the construction and maintenance of this.
- Local centre should be developed as originally promised.
- Village hall should be developed first
- Noise and pollution
- Needs an anchor convenience store
- The original concept of Wynyard Village is being diluted and eroded.
- Detrimental impact on residents mental health
- No GP practice

PLANNING POLICY

14. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plans for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
15. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

National Planning Policy Framework

16. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.
17. 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

18. 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 5 (SD5) - Natural, Built and Historic Environment

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

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

- a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
- b) Protecting and enhancing designated sites (including the Teesmouth and Cleveland Coast Special Protection Area and Ramsar) and other existing resources alongside the provision of new resources.
- c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
- d) Enhancing woodlands and supporting the increase of tree cover where appropriate.
- e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.
- f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.
- i) Considering development proposals within green wedges against Policy ENV6.
- j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.

k) Supporting proposals within the Tees Heritage Park which seek to increase access, promote the area as a leisure and recreation destination, improve the natural environment and landscape character, protect and enhance cultural and historic assets, and, promote understanding and community involvement.

l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.

m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

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

a. Directing development in accordance with Policies SD3 and SD4.

b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.

c. Supporting sustainable water management within development proposals.

d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.

e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.

f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.

g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.

h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.

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.

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/orb. 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.

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

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

The Council will:

- a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:
 - i. Energy reduction through 'smart' heating and lighting, behavioural changes, and use of passive design measures; then,
 - ii. Energy efficiency through better insulation and efficient appliances; then,
 - iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then
 - iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then
 - v. Conventional energy
- b. Require all major development to demonstrate how they contribute to the greenhouse gas emissions reduction targets set out in Stockton-on-Tees' Climate Change Strategy 2016; and
- c. Support and encourage sensitive energy efficiency improvements to existing buildings.

2. Proposals are encouraged where development:

- a. Incorporates passive design measures to improve the efficiency of heating, cooling and ventilation; and
- b. Includes design measures to minimise the reliance on artificial lighting through siting, design, layout and building orientation that maximises sunlight and daylight, passive ventilation and avoids overshadowing.

Domestic

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

- a. Submit an energy statement identifying the predicted energy consumption and associated 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.

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

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.

3. Site specific flood risk assessments will be required in accordance with national policy.

4. All development proposals will be designed to ensure that:

- a. Opportunities are taken to mitigate the risk of flooding elsewhere;
- b. Foul and surface water flows are separated;
- c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and
- d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.

5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:
 - a. To an infiltration or soak away system; then,
 - b. To a watercourse open or closed; then,
 - c. To a sewer.
6. Disposal to combined sewers should be the last resort once all other methods have been explored.
7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.
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).

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.
2. Provide education facilities, including the delivery of a primary school within Wynyard Village.
3. Provide community infrastructure of an appropriate scale to meet the day to day needs of Wynyard residents.
4. Deliver the following highway junction improvements:

- a. Signalisation of roundabout junctions on the A689 at Wynyard Avenue; The Wynd/Hanzard Drive; and The Wynd/The Meadows, to deliver sites with planning permission as identified in H3.1.
 - b. Works to the A689/A19 interchange which are required for the development of the remaining allocated land at Wynyard Park (Policy H1.7).
5. Provide a range of homes in accordance with Policy H4, with the exception of:
 - a. Wynyard Village (Policy H1.2.W1) which will provide an executive housing offer, with off_site affordable housing.
 - b. Wellington Drive (Policy H1.2.W2) which will provide executive housing in a low density setting, with off-site affordable housing, as well as opportunities for enhancement of the associated golf course and delivery of a five star hotel.
6. Provide green infrastructure and open space in accordance with ENV6.
7. Identify a clearly defined street hierarchy and accessible, convenient and safe routes for pedestrians, cyclists and other uses, this will include:
 - a. The provision of routes for pedestrian and cycle movement within the Wynyard area, including the pedestrian and cycleway bridge over the A689 along the route safeguarded within Policy T1.
 - b. Improved linkages to the conurbation, including a pedestrian and cycleway along the existing public rights of way to Wynyard Road along the route safeguarded within Policy T1.
 - c. Improved linkages to the Castle Eden Walkway and Wynyard Woodland Park.
 - d. Where appropriate, connections to development located within Hartlepool Borough.
8. Utilise Design Codes detailing important design elements for the development to ensure a consistent approach to quality standards.
9. Avoid unacceptable harm to and maximise possible enhancements to the significance of heritage assets. Development must be designed to ensure that the significance of Wynyard Park Registered Park and Garden and other heritage assets is not harmed and where possible enhanced.
10. Recognise and respect the unique character of Wynyard Village which is defined by its layout, leisure offer and low density executive housing.
11. Create a community at Wynyard Park with its own identity and sense of place which responds appropriately to local patterns of development and green infrastructure. Development of allocated land at Wynyard Park, and any significant further growth in housing numbers on planning commitments, must be implemented in a coordinated and timely manner in accordance with an Infrastructure Phasing and Delivery schedule as part of a masterplan for the Wynyard area. The following approach will be taken to the delivery of infrastructure:
12. Where required, contributions towards the shared infrastructure required to deliver a sustainable community at Wynyard Park (Policy H1.7) shall be made on a proportionate basis per home taking in to account further residential growth in Hartlepool Borough.
13. The Council will work proactively with developers to identify and agree reasonable triggers for the delivery of key infrastructure which allows development to progress whilst the impact of the development is appropriately mitigated.

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.

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:

- e. Cycleway/footbridge across the A689 (via a bridge) to connect with the wider cycleway network at Wynyard Road; and

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).

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 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.

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.

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.

MATERIAL PLANNING CONSIDERATIONS

Principle of Development

19. As detailed in the report above, the site benefits from an outline planning consent (ref; 20/2408/OUT) for a residential development of up to 130 units and new local centre. Whilst the objections comments regarding the proposals with respect to need and impacts on infrastructure are noted, the principle of the development and the associated infrastructure impacts, including those on traffic movements has therefore already been established and cannot therefore be revisited.
20. Neighbour concerns relate to the proposed mix of occupiers. However, as set out within the addendum cover letter submitted to support the submission of the revised plans, *the exact mix of uses will be confirmed prior to the occupation of the individual units, in accordance with condition 6 of the outline consent. However, it is envisaged that the units will be occupied by local businesses, such as a café/restaurant, bakery, deli, butcher, florist or similar (Use Class E), or a convenience store (Use Class F2) or potentially a takeaway (Sui Generis) use. It is considered that condition 6 give sufficient control to ensure an appropriate mix for a local centre.*
21. Concern is also raised regarding the lack of a community facility, this development, as required by the S106 agreement of ref 20/2408/OUT will deliver a village hall. As set out within the application, Wynyard Park are going to be responsible for not only the delivery but the future management of this facility. The scale of the community facility complies with the requirements of the S106 Agreement.

Economic/Social Benefits

22. It is recognised that the development would provide a number of jobs in the construction industry and supply chain in the short term and as well as the long-term employment within the commercial units. These economic and social benefits would weight in favour of the proposals within the overall planning balance.

The proposed development is considered to be in accordance with the principle of development accepted at planning committee under application 20/2408/OUT.

Highways and Transport

23. It is of note that a number of the objectors have raised objection to the extent of parking provision, trigger points and impact on the highway. Following receipt of the objections from both members of the public and the Highways Authority the applicant has submitted revised plans showing 46no spaces, including disabled bays and electric vehicle charging bays, along with cycle parking. The revised plans have also been submitted with a Highways Supporting Statement. Based on the suggested end uses, and the anticipated trip rates for the development, the assessment confirms that a maximum of 42no spaces will be needed at peak times and has been based on data obtained for similarly sized local centres across the country.
24. The Highways and Transport and Design Manager has, following receipt of the revised plans and Highways Supporting Statement, removed their objection, subject to the recommended conditions securing the service plan.
25. Furthermore, it is noted that the local centre has been designed to act as a sustainable form of development designed to principally serve the local community, it is anticipated that visitors will walk or cycle to the centre.

26. Members will note that the NPPF sets out that 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. As it has not been demonstrated to be the case a reason for refusal could not be sustained on these grounds.

Character and Appearance

27. The National Planning Policy Framework para. 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.
28. The proposed centre according to the submitted Planning Compliance Statement has been designed to reflect the surrounding area including the recently approved dwellings The centre has taken design cues from the more traditional house types and traditional barn conversions. Using a pallet of materials including brick and cladding with large expanses of glazing. Overall the appearance and scale of the development is considered to be in keeping with the existing residential dwellings and wider development within Wynyard, subject to the recommended conditions.
29. It is noted that some objectors reference a loss of open space, however, the site is not defined as open space and as detailed elsewhere in the report, the site is identified for development under the Local Plan and Wynyard Masterplan. Some objectors have also raised concern over the design however whilst design is subjective, it is considered to be an acceptable form of development which reflects the surrounding development.

Amenity

30. The outline permission imposed a series of conditions. It is considered that subject to those conditions the proposed development would not through either the construction or operation stage give rise to an unacceptable impact on the occupiers of those adjacent dwellings.
31. The Environmental Health Unit are satisfied with the proposal and the controls secured through the outline permission would safeguard those occupiers from any adverse impact.
32. It is considered that the scale, form and design of the proposed centre is such that it would not give rise to a demonstrable adverse impact on the occupiers of the approved adjacent residential dwellings and apartment in terms of loss of light, overbearing presence or loss of privacy to such a degree that a reason for refusal could be sustained.

Heritage Assets.

33. The outline planning application fully considered the impacts of the development on heritage assets, and it was considered that a housing development in this location would not unduly affect the setting of any of the Listed Buildings or the Registered Parkland and Garden.
34. The proposed reserved matters application does not fundamentally alter those earlier conclusions and given the scale and layout of the proposals the proposed development is not considered to adversely affect those heritage assets and in particular the Registered Parkland and Garden at Wynyard.

Flood Risk

35. The LLFA have reviewed the proposal and have no objections. The proposed development will be served by Phase 1 Drainage which has been approved under application ref; 23/0820/DCH. Northumbrian Water have no comments to make.

Ecology

36. The outline planning application considered fully the impacts of the development on biodiversity and protected species. Conditions were imposed with regards to ecological mitigation (no.30) and Biodiversity Net Gain (31).
37. The reserved matters application is within a three-year timeframe and therefore the original surveys and ecological appraisals can still be relied upon. It is also noted that the application includes a Biodiversity Net Gain Assessment as required under condition 31 of the outline approval.
38. The submitted Biodiversity Net Gain Assessment indicates that the proposals would result in a net loss of c. 38.5 biodiversity units and in order to achieve a net gain as required by policy ENV5(5) of the local plan, further habitat creation and enhancement will take place across the Wynyard Hall estate. As set out in the Biodiversity Net Gain Assessment report, this includes; the enhancement of woodland adjacent to the site, and; also the enhancement of an area of grassland adjacent to the site and combined they would deliver c. 57.2 biodiversity units and create an oversupply of c. 18 units a c. 30% gain. This would exceed the positive gain (i.e a 1% gain) required in the local plan policy at this time not only meeting the requirement for this proposal but also providing additional units to be used against future developments.
39. Given that the outline planning approval and Biodiversity Net Gain condition, secures the mitigation detailed within the submitted report to support this reserved matters application, it is not considered necessary to re-impose that requirement. In view of the above, it is considered that the reserved matters development adequately assesses and mitigate any likely harm to protected species and that appropriate necessary controls remain in force via conditions imposed at the outline stage.

Crime and Disorder:

40. Concern has been raised regarding the health and safety of residents 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.
41. As detailed at the outline application stage, here is no evidence before the Local Planning Authority which would indicate that the proposal would give rise to crime or anti-social behaviour. However, condition 9 required submission of a secure by design statement to be submitted along with the application, this has been included within the submitted Planning Compliance Statement. The development is relying on the proposed layout allows for natural surveillance of the public square through not only the commercial units but the apartment block which forms the courtyard. The use of lighting, boundary treatments, estate security, parking and doors and windows to comply with relevant requirements. The comments from the Designing out Crime Officer have been noted and a suitably worded informative has been recommended. Accordingly, it is not considered that the proposals would give rise to crime and disorder.

Residual Matters

42. Concerns of local residents with regards to the level of construction activity are noted, however again the outline planning approval imposed a condition requiring a construction management plan be submitted and agreed with the Local Planning Authority (Condition 16) and this remains a requirement for the future developers to submit and agree.
43. Objectors have made reference to the requirement of the s106 associated with permission 13/0342/EIS however paragraph 12.4 of the S106 states;
'Prior to the occupation of the 300th Dwelling a Doctors Surgery shall have been constructed in accordance with a detailed design to be first submitted to and approved in writing by the Council (acting reasonably) as part of the Reserved Matters application or detailed planning application PROVIDED THAT the owners have procured approval to the construction and funding of the Doctors Surgery by the appropriate public health Authority.'
44. Members will note that in recent applications, including the parent permission the NHS have not sought the provision of a medical practice rather off-site contributions. The land for the medical centre does however remain safeguarded.
45. Objectors have also raised concern that the original 2013 outline permission was required to deliver a local centre, however following approval of this application the Wynyard Masterplan was adopted by both Stockton and Hartlepool Borough Council which identifies the location of a local centre to be in the location secured by the parent outline permission.
46. Concern has been raised over the delivery of the centre, however as members will note the reserved matters application for the delivery of the local centre has been submitted and the applicant has confirmed that they will be proceeding with the development. Furthermore, should the centre not be forthcoming in line with the trigger points, the Local Planning Authority does have enforcement powers.
47. Concern has also been raised regarding the lack of community consultation with what services the centre should provide, however as set out by the applicant no end users has been identified as part of this application and whilst they will seek to establish a mix of uses to serve the local centre it does require appetite from retailers. Furthermore, the application is subject to condition 6 which requires the submission of the exact mix of uses to gain the prior approval of the LPA prior to occupation of the units.

CONCLUSION

48. Given the above considerations the proposed development is considered to be visually acceptable and it is not considered that the proposed development will have any adverse impacts on levels of residential amenity or highway safety to justify a refusal of the application. The proposed scheme is therefore in accordance with the relevant local and national planning policies and is recommended for approval subject to those conditions outlined within the report above.

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

WARD AND WARD COUNCILLORS

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

IMPLICATIONS

Financial Implications: See Report

Environmental Implications: See Report

Human Rights Implications:

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

Community Safety Implications:

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

Background Papers

Stockton on Tees Local Plan Adopted 2019

Supplementary Planning Documents

SPD3 – Parking Provision for Developments - Oct 2011

SPD7 – Shop Front and Advertisement Design Guide - Nov 201