

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
4 December 2024
REPORT OF ASSISTANT DIRECTOR OF
INCLUSIVE GROWTH AND
DEVELOPMENT**

23/2292/FUL

**Land Off Welwyn Road, Ingleby Barwick, Stockton on Tees
Erection of 345no dwellings (Use Class C3), vehicle access from Welwyn Road, landscaping,
SUDS, and associated infrastructure works
Expiry Date: 5 December 2024**

SUMMARY

Planning permission is sought for the erection of 345 dwellings and associated infrastructure and landscaping on an allocated site off Welwyn Way, Ingleby Barwick.

The proposed application consists of 339 houses and 6 bungalows, 69 of which will be affordable, equating to 20% affordable provision across the two sites.

The application has 13 letters of objection and one general observation. No fundamental objections have been raised by statutory consultees.

The principle of development is considered acceptable, and the application has been considered in full and it is not considered that the development would result in any significant conflict with the policies of the Local Plan and there are no technical reasons why the proposed scheme is unacceptable in planning terms and would justify a refusal of the application.

RECOMMENDATION

That Members be minded to approved planning application 23/2292/FUL subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below, and with the final decision to be delegated to the Planning Services Manager once agreement from Natural England is secured for the Appropriate Assessment

01 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

02 Approved Plans

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

Plan Reference Number	Date Received
1792-KEE-100 Rev M	21 November 2024
1792-KEE-102 Rev N	21 November 2024
1792-KEE-101 Rev N	21 November 2024
1477_100 Rev D Landscape Strategy	6 November 2024
5010 201 REV 4 - Esthwaite	19 November 2024

5220 REV 3 Padbury	15 December 2023
5250 REV 3 Seacourt	15 December 2023
5720 201 REV 2 - Winterbourne	19 November 2024
1050 REV 2 Foxcote	15 December 2023
10700 REV 4 Kentmere	15 December 2023
1110 REV 3 Chelburn	15 December 2023
1200 REV 4 Bradshaw	15 December 2023
5360 REV 4 Killington	15 December 2023
1220 REV 4 Roundhill	15 December 2023
5180 REV 2 Longford	15 December 2023
1420 REV 4 Jubilee	15 December 2023
1250 REV 4 Caversham	15 December 2023
1260 REV 4 Hoveton	15 December 2023
Hd_MA_End_R21G-901 Haldon	30 August 2024
Hd_MA_End_R21G-904 Rev A Haldon	30 August 2024
Ga_MA_Sem_R21G-901 Rev B Galloway	30 August 2024
Ga_MA_Sem_R21G-904 Rev C Galloway	30 August 2024
Kg_MA_End_R21G – 901 Rev A Kingley	30 August 2024
Kg_MA_End_R21G – 904 Rev A Kingley	30 August 2024
Sh_MA_Det_R21G – 901 Rev C Sherwood	30 August 2024
Sh_MA_Det_R21G – 904 Rev D Sherwood	30 August 2024
Ba_MA_Det_R21G – 901 rev A Barndale	30 August 2024
Ba_MA_Det_R21G – 904 rev A Barndale	30 August 2024
Cd_MA_Det_R21G – 901 Charndale	30 August 2024
Cd_MA_Det_R21G – 904 Charndale	30 August 2024
Sa_MA_End_R21G – 901 Rev D Saunton	30 August 2024
Sa_MA_End_R21G – 904 Rev C Saunton	30 August 2024
BU_MA_DET_R21G 201 D - Burnham	15 November 2024
BU_MA_DET_R21G 210 C Burnham	15 November 2024
BU_MA_DET_R21G 410 D Burnham	15 November 2024
Ke_MA_END-R21G-901 Rev B Kennet	30 August 2024
Ke_MA_END-R21G-904 Rev A Kennet	30 August 2024
Ma_MA_Det_R21G-901 Rev A Marston	30 August 2024
Ma_MA_Det_R21G-904 Rev B Marston	30 August 2024
Gw_MA_End_R21G-901 Rev D Greenwood	30 August 2024
Gw_MA_End_R21G-904 Rev B Greenwood	30 August 2024
Bt_MA_Det_R21G – 901 rev A Brampton	30 August 2024
Bt_MA_Det_R21G – 904 rev B Brampton	30 August 2024
LaN_MA_DET_R21G - 901 Lancombe	30 August 2024
LaN_MA_DET_R21G – 902 Rev A Lancombe	30 August 2024
LaN_MA_DET_R21G – 904 Rev B Lancombe	30 August 2024
HoC_MA_DET_R21G – 901 Hollicombe	30 August 2024
HoC_MA_DET_R21G- 902 Rev A Hollicombe	30 August 2024
HoC_MA_DET_R21G- 904 REV B Hollicombe	30 August 2024
SeA_MA_DET_R21G – 901 Rev B Seacombe	30 August 2024
SeA_MA_DET_R21G – 902 Rev B Seacombe	30 August 2024
SeA_MA_DET_R21G – 904 Rev B Seacombe	30 August 2024
HeY_MA_DET_R21G – 901 Rev A Heysham	30 August 2024
HeY_MA_DET_R21G – 902 Rev A Heysham	30 August 2024
HeY_MA_DET_R21G – 904 Rev B Heysham	30 August 2024
BrH_MA_Det_R21G – 901 REV A Broadhaven	30 August 2024
BrH_MA_Det_R21G – 902 rev A Broadhaven	30 August 2024
BrH_MA_Det_R21G – 904 rev B Broadhaven	30 August 2024
TsD_MA_DET_R21G – 901 Torrisdale	30 August 2024
TsD_MA_DET_R21G – 902 Rev A Torrisdale	30 August 2024

TsD_MA_DET_R21G – 904 Rev A Torrisdale	30 August 2024
DET_AS-DR-A-9050_201 Single Detached Garage	15 December 2023
DET_AS-DR-A-9070_201 Double Detached Garage	15 December 2023
DET_AS-DR-A-9080_201 Triple Detached Garage	15 December 2023
END_AS-DR-A-9060_201 Single Attached Garage	15 December 2023

Reason: To define the consent.

03 Phasing Plan

Prior to the commencement of development, a phasing plan shall be submitted to and approved by the Local Planning Authority which defines the areas to be developed by each developer (hereby referred to as Phases).

Reason: To facilitate the phased discharge of certain planning conditions by individual developers on the site where multiple developers are to be operational.

04 Garage to Plots

Notwithstanding the submitted plans, other than as shown on plans 1792-KEE-100 Rev M and 1792-KEE-101 Rev N, planning permission is not granted for the proposed triple garage to plots 37 - 39. Any alternative arrangement for the parking of vehicles (including structures) for Plots 37-39 shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of foundations for Plots 37-39. Work shall be undertaken in accordance with the approved details.

Reason: To define the consent as the triple garage is not considered acceptable and will have an adverse impact on the character of the area and the living standards of the host properties due to the close proximity to the habitable room windows.

05 Materials

No development shall commence above damp-proof course in a Phase of the hereby approved development, details of the materials to be used in the construction of the external walls and roofs of that Phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phase of the development shall be carried out in accordance with these approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development.

06 Landscaping - Hardworks

No development shall commence above damp-proof course in a Phase until full details of proposed hard landscaping in that Phase has been submitted to and approved in writing by the Local Planning Authority. This shall include:

- All highways and footways (roads, shared surfaces, private drives, property driveways and raised tables etc);
- Informal pedestrian footpath connections within the site boundary to the existing footpath network; and
- Maintenance access tracks to all SUDs and other service features requiring vehicular access.

This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed within the Phase in accordance with the approved details. Any defects in materials or workmanship appearing within the Phase within a period of 12 months from completion of that Phase shall be made-good by the owner as soon as practicably possible.

Reason: To enable the Local Planning Authority 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.

07 Means of Enclosure

Notwithstanding the proposals detailed in the submitted plans, no development shall commence above damp proof course in a Phase until details of all means of enclosure within that Phase shall be submitted to and approved in writing by the Local Planning Authority. Such approved means of enclosure shall be erected before the dwelling(s) it related to or facilitates hereby approved is occupied.

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

08 Street Furniture/ Play Equipment and Trim Trail .

No development shall commence above damp-proof course until details of the proposed trim trail, street furniture including benches and play equipment shall be submitted to and approved in writing by the Local Planning Authority. Such equipment as agreed shall be installed in accordance with a phasing and delivery plan to be agreed in writing with the local planning authority.

Reason: In the interests of the amenity of the area for local residents and visitors

09 Accessible and adaptable homes

Notwithstanding the submitted plans 240 of the proposed dwellings (70%) shall meet Building Regulation M4 (2).

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

10 Landscaping – Softworks

No development shall commence above damp proof course in a Phase until full details of Soft Landscaping in that Phase has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for 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 in that Phase shall be completed in accordance with a phasing programme to be agreed with the local planning authority and the development shall not be brought into use until the scheme has been 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

11 Protection of Trees –Adherence to Recommendations

Works shall be undertaken in accordance with the submitted 'Arboricultural Method Statement/Impact Assessment (Ref: ARB/CP/3216 dated November 2024. This shall be adhered to in full and shall be subject to tree protection monitoring and site supervision undertaken by a suitably qualified tree specialist.

Reason: To safeguard and enhance the character and amenity of the site, and to avoid any irreversible damage to retained trees.

12 Landscape Management and Maintenance

No development shall commence above damp proof course until full details of proposed soft landscape management, and maintenance plan has been submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include, long term design objectives, management responsibilities and maintenance schedules, replacement programme for all landscape areas including retained vegetation, (other than small privately owned domestic gardens), maintenance access routes to demonstrate operations can be undertaken from publicly

accessible land, special measures relating to the time of year such as protected species and their habitat, management of trees within close proximity of private properties etc.

The Maintenance Plan shall include for management of access points, footpaths and maintenance access tracks, including repairs, cutting back vegetation, etc.

Management of the existing ponds and watercourses, including removal of invasive species, silt clearance etc shall also be included in the plan.

This information shall be submitted to and approved in writing by the Local Planning Authority. Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local Planning Authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season.

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity

13 Protection of Highway

No development shall commence above damp proof course in a Phase until the Local Planning Authority has approved in writing the details of arrangements for the protection of the adopted highway, from tree root damage where trees are planted within 2 metres of the highway in that Phase

Reason: To protect the adopted highway from damage by tree roots

14 Discharge of Surface Water

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

- I. Detailed design of the surface water management system; (for each phase of the development).
- II. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- III. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- IV. Details of adoption responsibilities

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

15 Discharge of Surface Water

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

- I. Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said building
- II. The drawings of all Suds features have been submitted and approved in writing by the Local Planning Authority, the drawings should highlight all site levels, including the 30year and 100year+cc flood levels and confirmation of storage capacity

- III. A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development

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

16 Culvert Design

No development within the 8m buffer to the watercourses shall take place until detailed designs for the culverted crossings have been submitted to and approved by the local planning authority. Specifically, the culvert design should:

- Aim to create a channel within any culvert that is as similar as possible to the “natural” channel in both structure and function.
- Ensure that any culvert does not destabilise the reach they sit within, avoiding scour and aggradation.
- Allow a natural bed throughout, taking into account upstream and downstream planform and channel grade.
- Ensure the continuation of sediment transport through any structure or realigned channel.
- Consider future changes to hydrology and how this may impact on sediment supply, channel dynamics and geomorphological processes (up and downstream of any structure or realigned channel).

Reasons Article 10 of the Habitats Directive states that wildlife corridor networks should be protected from development, and where possible, strengthened by or integrated within it.

17 Recording of a heritage asset through a programme of archaeological works

A) Prior to the occupation of the development an Updated Project design, based off the recommendations of the post-excavation assessment (ASDU report 6168, received by the local planning authority on 18 October 2024), has been submitted to and approved by the local planning authority in writing.

B) No more than 50 dwellings shall be occupied until the post investigation analysis has been completed in accordance with the Updated Project Design approved under condition (A), and the provision made for publication and dissemination of results and archive deposition has been secured. This condition is derived from a model recommended to the Planning Inspectorate by the Association of Local Government Archaeology Officers

Reason: To ensure the archaeology of the site is recorded.

18 Noise Impact Assessment

The development hereby approved shall be undertaken in accordance with the recommendations as detailed in Section 9 (mitigation measures) and Section 10 (Acoustic Design Statement) of the submitted Noise Assessment (Ref NJD23-0189-002R dated November 2024), unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of the amenity of the future occupiers of the development.

19 Ecology and Mitigation

The development hereby approved shall only be undertaken on site in accordance with the Section 6 Recommendations (avoidance, mitigation and compensation) measures as detailed in the following reports;

- Ecological Impact Assessment (August 2024)
- Otter and Water Vole Survey (June 2024)
- Breeding Bird Survey (August 2024)

- Badger Report (May 2024)

Reason: In order to adequately protect ecology and biodiversity in accordance with the principles of Policy ENV5 and the National Planning Policy Framework.

20 Ecology Survey

If work does not commence within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing on site a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted and approved in writing by the local planning authority and identify any additional or revised mitigation measures required

Reason: To conserve protected species and their habitat where necessary

21 Habitat and wildlife

As detailed in BS 3998:2010 Prior to work commencing in a Phase, the trees and their surroundings should be assessed for the presence of protected species, some of which are subject to season-specific legislation. Any works in a Phase should be planned so as to limit their potential adverse impact on wildlife generally. The timing of works in a Phase should take account of the seasonal cycles of the species of fauna and flora concerned (including the nesting habits of birds and the egg-laying habits of insects).

Reason: In compliance with the Habitat Regulations and Countryside and Wildlife Act.

22 Construction and Environmental Management Plan (CEMP)

Prior to the commencement of the development in a Phase hereby approved, a detailed site-specific Construction Environmental Management Plan (CEMP) for that phase of the development shall be submitted to and be agreed in writing with the Local Planning Authority. This shall include details of all proposed excavations, piling, construction, machinery used (including location) and associated mitigations should be submitted in accordance with BS 5228:1997. This should also include all measures to be undertaken to protect habitats and wildlife during the construction phase of the development identified in the submitted ecology report including as a minimum

- details of precautionary working methods relating to otter and water vole
- details of pre-works check to be undertaken by a suitably qualified ecologist within 3 months of the start of works on site
- details of proposed habitat enhancements

Once approved the CEMP Plan shall be adhered to throughout the construction period.

Reason: To ensure the protection of wildlife and supporting habitat.

23 Biodiversity Net Gain

The development hereby permitted shall be carried out in accordance with the submitted Biodiversity Net Gain Assessment Report Version 6 prepared by OS Ecology and dated October 2024 to ensure that there is a measurable net gain in biodiversity within a 30 year period as a result of the development and the Plan shall be implemented in full.

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

Monitoring reports will be submitted to the Council during years 2,5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management Plan,

demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

Reason: In the interests of ensuring measurable net gains to biodiversity.

24 Travel Plan.

The Travel Plan (October 2024) shall be implemented and the development shall thereafter be carried out and operated in accordance with the approved Travel Plan.

Reason: In the interests of sustainable travel in accordance with planning policy TI

25 Construction Management Plan

Notwithstanding the submitted details, no development shall take place in a Phase, until a Construction Management Plan for that Phase has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan(s) shall include as a minimum details of:

- the site construction access(es)
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials including any restrictions on delivery times;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- measures to be taken, including but not limited to wheel washing facilities and the use of mechanical road sweepers operating at regular intervals or as and when necessary, to avoid the deposit of mud, grit and dirt on the public highway by vehicles travelling to and from the site;
- measures to control and monitor the emission of dust and dirt during construction;
- a Site Waste Management Plan;
- details of the HGVs routing including any measures necessary to minimise the impact on other road users;
- measures to protect existing footpaths and verges; and
- a means of communication with local residents.

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

Reason: In the interests of highway safety and residential amenity

26 Renewables or Fabric First

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

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

27 Unexpected Land Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning

Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

Reason: Due to the proposed development's proximity in relation to historical features, and to ensure contamination is adequately dealt with

28 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

29 Bins/ Refuse

Prior to the occupation of each dwelling hereby approved each dwelling 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.

30 Construction working Hours

No construction/building works or deliveries associated with the construction phase of the development 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 avoid excessive noise and disturbance to the occupants of nearby properties and to accord with saved Policy HO3 of the Stockton on Tees Local Plan.

31 Permitted Development Rights – Extensions and alterations

Notwithstanding the provisions of classes A, AA, B, C, D, and E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority

Reason: In order that the local planning authority may exercise further control in order to protect the amenity of adjoining residents and landscaping features.

32 Permitted Development rights - no garage conversions;

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2015 (or any order revoking and re-enacting that Order), no integral garages shall be converted into part of the house and all other (detached or attached) garages shall remain available for the parking of vehicles, unless otherwise agree in writing by the Local Planning Authority.

Reason: To adequately control the level of development on the site to ensure adequate garaging and parking spaces are made available.

33 Permitted Development Rights means of enclosure

Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order),

unless shown on the approved means of enclosure plan no gates, fences, walls or other means of enclosure shall be erected between the front or side wall of any dwelling which the curtilage of the dwelling fronts or abuts.

Reason: In order that the local planning authority may exercise further control in order to protect the visual amenities of the area.

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.

Informative :Water Quality Permit Requirements –

You do not require a permit if you are only discharging uncontaminated surface runoff. If you intend to discharge to surface water for dewatering purposes, this may be covered by a Regulatory Position Statement (RPS) for water discharge activities. If you can comply with all the conditions within the RPS, then a permit is not required for this activity.

Please find the RPS conditions here: Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK (www.gov.uk)

If any discharges do not fully comply with the RPS, then a bespoke discharge permit will be required. Please find guidance on applying for a bespoke water discharge permit here: Discharges to surface water and groundwater: environmental permits - GOV.UK (www.gov.uk)

Informative: LLFA

If the applicant proposes to discharge surface water into an ordinary watercourse, there is a legal requirement to obtain consent from the Lead Local Flood Authority (LLFA) if the applicant intends to carry out any works in, over, under, or within 10meters of the watercourse, whether permanent or temporary. No works on a watercourse can proceed until written consent has been granted by the LLFA. A land drainage consent is standalone application that could take up to 8 weeks for determination. This is to ensure that any works do not endanger life or property by increasing the risk of flooding or cause harm to the water environment.

HEADS OF TERMS

- Affordable Housing
- Employment and training
- Education Contribution based on the standard formula
- Nutrient Mitigation and BNG

BACKGROUND

1. The site is allocated in the local plan. The Local Plan Commitment for the area identified as IB3 is 1,155 dwellings and IB7 is for 66 dwellings giving a total of 1221 across the Low Lane site (See Appendix B).
2. Permission has been granted for 406 houses and this site proposes 345 and, therefore, the number of dwellings is below the allocation, currently standing at 751 (including the 69 on IB7). There is an approval on land not within the allocation for 9 dwellings and is currently waiting for the Section 106 to be signed.

3. Following the refusal of the application for 200 houses on the adjacent site to the east an appeal has recently been lodged and should the Applicant be successful at appeal then the number of houses will still be below the allocation, standing at 951.
4. There is a currently an outline application which is pending consideration which seeks permission for a convenience food store and a parade of 4no convenience facilities (Use Class E) and associated outdoor terrace area. Residential care accommodation for older people (Use Class C2) of approx. 60 bedspaces, and a residential development of up to 40 apartments (Use Class C3). The application remains undetermined and is likely to change but the retail use is likely to remain part of the proposals. Amended plans are to be submitted for consideration, however, the proposal under consideration should not affect the determination of this application.

SITE AND SURROUNDINGS

5. The application site relates an area of land at Ingleby Barwick. The site is to be accessed from Welwyn Road.
6. To the north of the site is Bassleton Beck with Housing (Beckfields Village) beyond. To the south and west are residential developments and to the east is the residential commitment which was recently refused by Planning Committee.

PROPOSAL

7. Planning permission is sought for the Erection of 345no dwellings taking the vehicular access from Welwyn Road, with associated landscaping, SUDS, and infrastructure works.
8. The proposal is for a single development across two parcels of land with the northern element to be developed by Keepmoat Homes and the southern element by Persimmon Homes. There will be 69 affordable homes (20%) across the site as a whole.
9. The northern element has 164 homes with 64 affordable (early indications are that 13 (20%) of the units will be Shared Ownership and 51 (80%) of the units will be Socially Rented and managed by Thirteen Housing Group).
10. The southern element of the site, Persimmon Homes has 181 houses and 5 will be affordable (early indications are that 4 will be Affordable Rent managed by a Registered Provider to identified in due course and 1 unit will be Shared Ownership).

CONSULTATIONS

11. Consultees were notified and the following comments were received.
12. Highways Transport & Design Manager
General Summary - As set out below the principle of development in this area has previously been established, the proposed development is broadly in accordance with the Councils design and is in a sustainable location.
The Highways, Transport and Design Manager raises no issue with the proposals.
Highways Comments - The proposed development is for 319 dwellings on land off Welwyn Road in Ingleby Barwick. A Transport Assessment (TA) and various site layout drawings have been submitted in support of the application. The area has been subject to three previous outline planning approvals (12/2517/OUT, 14/0562/OUT and 15/0497/OUT) for a total of 970 dwellings therefore, the principle of development in this location has previously been considered and accepted.

Traffic Impact -As set out above the principle of development and therefore the impact of the proposals on the local highway network for a total of 970 dwellings has previously been considered and accepted. Should this application be approved, the cumulative housing total will be circa 650 dwellings including the 319 dwellings associated with this development.

Therefore, based on the reduction in dwellings across the whole site when compared to the previous approvals, it cannot be demonstrated within the context of the NPPF that the residual cumulative impacts on the road network of the proposals would be severe.

Site Layout - The site layout drawing has been reviewed against the Councils design guide and SPD3: Parking Provision for Developments 2011. The site layout is considered to be broadly acceptable and car parking has been provided in accordance with SPD3.

Tracking drawings have also been provided with demonstrate that the site can be serviced by a refuse vehicle.

Sustainable Transport - The adjacent development will provide two pedestrian connections across Bassleton Beck and the proposed site layout incorporates pedestrian / cyclist connections to the surrounding network.

Bus services are available on Barwick Way and Beckfields Avenue which are within 800m walking distance from the site.

Therefore, the site is considered to be sustainably located as several facilities will be within 2km walking distance.

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

13. Highway England
Offer no objection

14. Active Travel England
No Objection: ATE has undertaken a detailed assessment of this application and is content with the submission. ATE notes the improvements to internal permeability that have been included within the latest set of drawings. These include improved access from private drives to the spine road and the addition of crossing points on the spine road. These are positive and follow advice provided previously. ATE is therefore satisfied to move to a 'No objection' response on the basis of these amendments. However, for the avoidance of doubt, and for future reference by the applicant and local authority, ATE repeats its view that the design of the spine road (even with the above improvements) remains clearly contrary to design guidance as set out in Manual for Streets, the National Design Guide and LTN 1/20. The arrangement of the spine road represents poor design that clearly prioritises motor vehicles ahead of placemaking, pedestrians and cyclists. On this occasion ATE is not objecting to the application on design grounds solely because the principles of the design have been set by the earlier phase at the development site.

15. Northern Gas Networks
We do not object

16. National Grid
There are no National Grid Electricity Transmission assets affected in this area.

17. Cleveland Police
Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).
I would like to make you aware that Cleveland Police operate the "Secured By Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.

I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Homes 2024 Guide at www.securedbydesign.com

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour. Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

The National Planning Policy Framework 2023 paragraph 92(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

The National Planning Policy Framework 2023, paragraph 130(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible...and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

Stockton-on-Tees Borough Council Local Plan, Policy SD8 includes the following... All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

Supplementary Planning Guide, Local Design Guide Section 3.6 and Sustainable Design Guide Section 4.9 also refer to Security & Safety.

Another material consideration is Section 17 of The Crime and Disorder Act 1998.

Further information on the Secured By design initiative can be found on www.securedbydesign.com

Although not an SBD requirement, Stockton along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

Strong consideration should also be given in relation to the provision of On- Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist.

In addition to the above and having viewed the proposal I would also add the following comments and recommendations.

All doors and windows are recommended to be tested and certified PAS24:2020/2016 standards (or equivalent) This includes garage doors. These must be dual certified for both fire and security.

Dusk to dawn lights are recommended to each elevation with an external door-set. This also includes garage doors. All roadways and pathways, adopted or otherwise, are recommended to be to BS5489:2020 standards with a uniformity preferably to Secured By Design recommended one of 40%, as a minimum 25%.

Neighbourhood permeability...is one of the community level design features most reliably linked to crime rates. Excessive permeability should be eliminated, I would recommend that in this instance permeability be reduced.

The proposed pathway linking another phase to this alongside of Plots 139 & 140 is not supported and I strongly recommend it not be as included as it is.

Any linked path as well as being adopted and appropriately lit should be incorporated into a front street scene, not, as proposed, create an alleyway to the side of 4 x properties.

All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height.

Rear garden sub dividing treatments should be to 1.8m in height.

Those to rear/rear side of Plots backing onto open space recommended to be increased to 2.2m.

Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses.

Ginnel access serving several rear gardens should be avoided where possible, If absolutely necessary a lockable gate is required at initial access point as well as each individual garden. Across both proposals there is an excessive amount of these serving the affordable housing units.

There are some parking areas tucked away behind gardens that are not afforded any formal or informal surveillance. Plots 139 & 140. Consideration to repositioning these is recommended.

18. SBC Housing Services Manager

No objections.

19. SBC Place Development Manager

North site (Keepmoat) - The materials plan indicates the full site will be tarmac with no variation in the approach to materials. The applicant is advised to vary the materials through the site, in accordance with the street hierarchy, to introduce "node" points, and shared surface arrangements The scheme should follow on from the feature points introduced in the south site by using block paving at key points.

20. Environmental Health Unit

Noise : I have reviewed the submitted noise impact assessment and have no objection in principle to the development subject to the report being conditioned to ensure the sound levels and mitigation measures detailed within the report being are achieved and implemented. The report provides mitigation measures to ensure internal noise levels are achieved, demonstrates that external noise levels can be achieved and has set a construction noise limit for future construction noise along with some construction mitigation measures. I would recommend a full BS5228 construction assessment to be undertaken once all known plant and equipment to be used have been selected.

Air Quality: I have reviewed the submitted air quality report for the operational and construction phases and would recommend the report and mitigation measures detailed within it to be conditioned for the lifetime of the development.

Contaminated Land: I have checked the submitted phase 1 and phase 2 Site Investigation by Coast Consulting Engineers Ltd (Report Ref 23068-01. Nov 2011) submitted in respect of contaminated land. The report reviews previous and existing reports and classifies the site as greenfield with no previous form of development. The Landmark Environmental information reviewed in the desk study section of the report does not identify any historic, or recorded landfills or waste management facilities within 250m of the site. Similarly, the published geology, and previous site investigations confirmed the absence of organic soils which could present a potential source of ground gas. I am satisfied that the risks posed by soil, gas and water contamination have been adequately assessed and undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" guidance (2020), CIRIA C665 and BS87576: Guidance in investigations for ground gases. The revised Conceptual Site Model has not identified any potential pollutant linkages which could result in an unacceptable risk to any receptors. I am satisfied the risk from contamination has been addressed and no remedial measures are required.

21. NHS

Request S106 funds: Local surgeries are part of ICB wide plans to improve GP access and would be the likely beneficiaries of any S106 funds secured. Local GP Practices are keen to maintain/improve their access, and an increase in patient numbers may require adjustments to existing premises/access methods. Please be advised that we would be unable to guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers. In calculating developer contributions, we use the Premises Maxima guidance which is available publicly. This assumes a population growth rate of 2.3 people per new dwelling and we link this increase to the nearest practice to the development, for ease of calculation. We use the NHS Property Service build cost rate of £3,000 per square

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

Item	Response
LA Planning References	23/2292/FUL
GP Practices affected	Woodbridge Medical Practice Thornaby Barwick Medical Group
Local intelligence	This practice falls within the BYTES & Stockton Primary Care Network which are at full capacity with regards to space requirements to deliver services to their patient list size. S106 funding would support creating extra capacity for them to provide appropriate services to patients
Number of Houses proposed	345
Housing impact calculation	2.3
Patient Impact (increase)	793
Maxima Multiplier	0.07
Additional m ² required (increase in list x Maxima Multiplier)	55.545 m²
Total Proposed Contribution £ (Additional m ² x £3kpm ² , based on NHSPS build cost)	£166,635

22. Natural England

Comments on the Appropriate Assessment are awaited

23. Tees Archaeology

Thank you for the additional consultation on this application. We note the submission of a post excavation assessment, following archaeological work on site. This work revealed archaeological remains of an earlier prehistoric date, including two possible cremations, along with evidence for Iron Age/Romano British activity, and recommends that further analysis work is carried out. We agree with this recommendation, which can be secured by a condition on the development. We set out recommended wording of this condition.:

24. The Environment Agency

Environment Agency position We have reviewed the provided Water Framework Directive (WFD) Assessment and Surface Water Management Plan and consider that they are appropriate to allow us to remove our previous objections in our letter dated 20 September 2024. As such, we have no objections to this application but consider that the below conditions are required.

Protected Species: The provided otter and water vole survey report is sufficient to remove our previous Objection (Protected Species) from our letter dated 1 February 2024. Ecological avoidance, mitigation, and enhancement measures have been suggested in this report, which should be adopted as without them, the proposed development could have an unacceptable effect on the ecological value of the site, namely otter and water vole. As such, the proposed development will only be acceptable if a planning condition requiring a construction environmental management plan (CEMP) is included. It is not necessary for the CEMP to be provided prior to the granting of planning permission, as this matter can be addressed by a planning condition. Condition 1 - Construction Environmental Management Plan

No development shall take place until a CEMP, including avoidance, mitigation, and enhancement measures for otter and water vole, has been submitted to, and approved in writing by, the local planning authority. The CEMP shall be carried out as approved and any subsequent variations shall be agreed to in writing by the local planning authority. The scheme shall include the following elements:

- details of precautionary working methods relating to otter and water vole
- details of pre-works check to be undertaken by a suitably qualified ecologist within 3 months of the start of works on site
- details of proposed habitat enhancements

Reasons To ensure the protection of wildlife and supporting habitat.

This approach is supported by paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Without this condition we would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to otter and water vole.

The below condition regarding culvert design, which was detailed in our previous response to this application, still applies and has been repeated below.

Condition 2 - Culvert Design

The proposed development will only be acceptable if a planning condition is included requiring all culverts, as a minimum, to follow the guidance regarding culverts as outlined in CIRIA 2019 – Culvert, Screen and Outfall Manual. No development shall take place until detailed designs for the culverted crossings have been submitted to and approved by the local planning authority. Specifically, the culvert design should:

- Aim to create a channel within any culvert that is as similar as possible to the “natural” channel in both structure and function.
- Ensure that any culvert does not destabilise the reach they sit within, avoiding scour and aggradation.
- Allow a natural bed throughout, taking into account upstream and downstream planform and channel grade.
- Ensure the continuation of sediment transport through any structure or realigned channel.
- Consider future changes to hydrology and how this may impact on sediment supply, channel dynamics and geomorphological processes (up and downstream of any structure or realigned channel). Reasons Article 10 of the Habitats Directive states that wildlife corridor networks should be protected from development, and where possible, strengthened by or integrated within it. We welcome the proposals to establish a wildlife corridor along both watercourses, but the current documents provide inadequate information regarding the design of the culverts. We acknowledge that given the size of the watercourse, the construction of a clear span bridge to avoid disruption to wildlife movement or to natural channel processes is disproportional given the size of the watercourse and the nature of the culverts. The lack of any details regarding the culvert design means however, that it is not possible to assess the impact of the proposed culverts on channel processes and wildlife corridors. This approach is supported by paragraph 180 of the NPPF which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Without this condition we would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to the watercourses within the development boundary.

Water Quality Permit Requirements – Advice to Applicant You do not require a permit if you are only discharging uncontaminated surface runoff. If you intend to discharge to surface water for dewatering purposes, this may be covered by a Regulatory Position Statement (RPS) for water discharge activities. If you can comply with all the conditions within the RPS, then a permit is not required for this activity. Please find the RPS conditions here: Temporary

dewatering from excavations to surface water: RPS 261 - GOV.UK (www.gov.uk) If any discharges do not fully comply with the RPS, then a bespoke discharge permit will be required. Please find guidance on applying for a bespoke water discharge permit here: Discharges to surface water and groundwater: environmental permits - GOV.UK (www.gov.uk)

PUBLICITY

25. Neighbours were notified and 14 letters of objection from the addresses below were received with 1 neutral letter; the main objections/observations are summarised below. Full details can be viewed at <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

1. Ms A Smith 4 Breton Drive, Ingleby Barwick
2. Mr Martin Allen 4A Samaria Gardens Middlesbrough
3. Mr Barry Jobson 2 Nuneaton Drive Middlesbrough
4. Susan Harriman The Grange Little Maltby Farm
5. Mr James Hope First Floor Offices 17A High Street
6. Mrs Janet Cowl 70 Floret Way Ingleby Barwick(check hedgerow) ****
7. Mrs Fiona Ventress 24 Floret Way Ingleby Barwick *** PROW
8. Ms Sarah Karim 26 Pothos Road Ingleby Barwick
9. Mr Brian Lewis 5 Beech Grove Maltby
10. Sarah Brookbanks 75 Hillbrook Crescent Ingleby Barwick
11. Miss L Hill 33 Hay Meadow Crescent High Leven Yarm TS15 9ZS
12. Miss E Pickering 64 Floret Way Ingleby Barwick Stockton-on-Tees TS17 0G
13. Mr D Simpson 35 Hay Meadow Crescent High Leven TS15 9ZS
14. G Robson 31 Hay Meadow Crescent High Leven
15. C Marwood 19 Hay Meadow Crescent High Leven Yarm TS15 9ZS

Objections summarised

- Building works are extremely disruptive through noise, dust and deliveries
- Increase in Traffic.
- Loss of Privacy due to number of people walking past the existing house
- Overlooking and loss of privacy
- Separation Distances
- Loss of Green space.
- Pressure on infrastructure/services.
- Devaluation
- Too close to Beck
- Impact on Flood Zone – Building in FZ3
- Removal of the PROW and open space
- Removal of Hedgerows should not be allowed
- Lack of shops and children's play areas.
- Access to Beckfields is unsuitable
- Access to services is not accurate (timings)
- Increase in Flooding
- No bungalows – this development does not cater for the older person
- Impact on wildlife and biodiversity
- Impact on archaeology
- Impact on Sewage

PLANNING POLICY

25. 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.
26. 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

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

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - 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

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 3 (SD3) - Housing Strategy

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land. Should it become apparent that a five year supply of deliverable housing land cannot be identified at any point within the plan period, or delivery is consistently falling below the housing requirement, the Council will work with landowners, the development industry and relevant stakeholders and take appropriate action in seeking to address any shortfall.

2. The following are priorities for the Council:

a. Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision; this includes the provision of housing to meet the needs of the ageing population and those with specific needs.

b. Providing accommodation that is affordable.

c. Providing opportunities for custom, self-build and small and medium sized house builders.

3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through:

a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (as identified on the Policies Map) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include:

Queens Park North, Victoria Estate, Tees Marshalling Yard and Land off Grange Road

b. Supporting residential development on sites within the conurbation as defined by the limits to development which comprises the main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm.

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

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

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

a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.

b) Protecting and enhancing designated sites (including the Teesmouth and Cleveland Coast Special Protection Area and Ramsar) and other existing resources alongside the provision of new resources.

c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.

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

e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.

f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.

g) Directing appropriate new development within the countryside towards existing underused buildings on a site for re-use or conversion in the first instance. Only where it has been demonstrated to the satisfaction of the local planning authority that existing underused buildings would not be appropriate for the intended use should new buildings be considered.

h) Supporting the conversion and re-use of buildings in the countryside where it provides development identified within Policies SD3 and SD4, and meets the following criteria:

i. The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding;

ii. Any alterations or extensions are limited in scale;

iii. The proposed use does not result in the fragmentation and/or severance of an agricultural land holding creating a non-viable agricultural unit; and

iv. Any associated outbuildings/structures are of an appropriate design and scale.

i) Considering development proposals within green wedges against Policy ENV6.

j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.

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

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

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

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

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

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

c. Supporting sustainable water management within development proposals.

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

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

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

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

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

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.

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.
8. Within critical drainage areas or other areas identified as having particular flood risk issues the Council may:
 - a. Support reduced run-off rates.
 - b. Seek contributions, where appropriate, towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.
9. Sustainable Drainage Systems (SuDS) should be provided on major development (residential development comprising 10 dwellings or more and other equivalent commercial development) unless demonstrated to be inappropriate. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance.

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.
4. Sites designated for nature or geological conservation will be protected and, where appropriate enhanced, taking into account the following hierarchy and considerations:
 - a. Internationally designated sites - Development that is not directly connected with or necessary to the management of the site, but which is likely to have a significant effect on any internationally designated site, irrespective of its location and when considered both alone and in combination with other plans and projects, will be subject to an Appropriate Assessment. Development requiring Appropriate Assessment will only be allowed where:

i. It can be determined through Appropriate Assessment, taking into account mitigation, the proposal would not result in adverse effects on the site's integrity, either alone or in combination with other plans or projects; or ii. as a last resort, where, in light of negative Appropriate Assessment there are no alternatives and the development is of overriding public interest, appropriate compensatory measures must be secured.

b. Nationally designated sites - Development that is likely to have an adverse effect on a site, including broader impacts on the national network of Sites of Special Scientific Interest (SSSI) and combined effects with other development, will not normally be allowed. Where an adverse effect on the site's notified interest features is likely, a development will only be allowed where:

i. the benefits of the development, at this site, clearly outweigh both any adverse impact on the sites notified interest features, and any broader impacts on the national network of SSSI's;

ii. no reasonable alternatives are available; and

iii. mitigation, or where necessary compensation, is provided for the impact.

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.

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.

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).

Housing Policy 1 (H1) - Housing Commitments and Allocations

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

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

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

Commitments

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

Site Location/Name	Area (ha)	Total Dwellings (approx)	Remaining Supply at April 2018
IB3 Little Maltby Farm, Low Lane	35	1155	1085
IB7 Lowfield	4.2	66	66

Housing Policy 4 (H4) - Meeting Housing Needs

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of appropriate sizes, types and tenures which reflects local needs and demand, having regard to the Strategic Housing Market Assessment, its successor documents or appropriate supporting documents.
2. Support will be given to higher density development within areas with a particularly high level of public transport accessibility. Elsewhere housing densities will be considered in the context of the surrounding area in accordance with Policy SD8.
3. The Council require 20% of new homes to be affordable on schemes of more than 10 dwellings or with a combined gross floorspace of above 1000sqm.
4. Where an applicant considers that the provision of affordable housing in accordance with the requirements of this policy would make the scheme unviable, they must submit a full detailed viability assessment to demonstrate the maximum level of affordable housing that could be delivered on the site. The applicant will be expected to deliver the maximum level of affordable housing achievable.
5. Affordable housing will normally be provided on-site as part of, and integrated within housing development to help deliver balanced communities. This provision should be distributed across sites in small clusters of dwellings. Off-site affordable housing or a commuted sum will only be acceptable where:
 - a. All options for securing on-site provision of affordable housing have been explored and exhausted; or
 - b. The proposal is for exclusively executive housing, where off-site provision would have wider sustainability benefits and contribute towards the creation of sustainable, inclusive and mixed communities; or
 - c. The proposal involves a conversion of a building which is not able to accommodate units of the size and type required; or
 - d. Any other circumstances where off-site provision is more appropriate than on-site provision.
6. Where off-site affordable housing or a commuted sum is considered acceptable, the amount will be equivalent in value to that which would have been viable if the provision was made onsite and calculated with regard to the Affordable Housing Supplementary Planning Document 8 or any successor.
9. To ensure that homes provide quality living environments for residents both now and in the future and to help deliver sustainable communities, from the 1st April 2019 the following Optional Standards will apply, subject to consideration of site suitability, the feasibility of meeting the standards (taking into account the size, location and type of dwellings proposed) and site viability:

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

Transport and Infrastructure Policy 3 (TI3) - 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.

Transport and Infrastructure Policy 1 (TI1) - Transport Infrastructure

Delivering A Sustainable Transport Network

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

New Development

10. Existing sustainable transport and public transport infrastructure will be protected from development which would impair its function or attractiveness to users.

Transport and Infrastructure Policy 2 (TI2) - Community Infrastructure

1. There is a need to ensure that community infrastructure is delivered and protected to meet the needs of the growing population within the Borough. To ensure community infrastructure meets the education, cultural, social, leisure/recreation and health needs of all sections of the local community, the Council will:

- a. Protect, maintain and improve existing community infrastructure where appropriate and practicable;
- b. Work with partners to ensure existing deficiencies are addressed; and
- c. Require the provision of new community infrastructure alongside new development in accordance with Policy SD7.

MATERIAL PLANNING CONSIDERATIONS

27. The main planning considerations in the determination of this application include its compliance with established planning policies and the impacts of the development on the visual amenity of the area, levels of residential amenity, highway safety, flood risk, ecology and other matters arising out of consultation.

Principle of development

28. The site is a housing commitment in the adopted Local Plan, allocated for approximately 1185 dwellings across a wider site allocation. In terms of land that has been developed / given approval the details are in the background section of this report. So far there has been 406 houses approved with some completed and some under construction.
29. Overall, it is considered that the principle of using this land for residential development has been established and there has been no fundamental change in planning policy that would render the application as unacceptable subject to all other material planning considerations as set out below.

Provision of Services / Access to facilities

30. Comments have been received regarding services and access to services. Following comments from Active Travel England, the applicants made improvements to the layout by introducing a series of pedestrian/cycle connections throughout the site in order to provide easy, safe and short distance cycle/walking routes to the network of pedestrian routes. Access to the pedestrian link to the Beckfields estate and associated shops and services has also been improved. The site now links up with the Miller homes site who are providing a bridge over the beck towards the Beckfields Village. The application site is in reasonable proximity to a number of services / bus links which are shown on a plan at Appendix G
31. Bus Services can be accessed from the site and are within 800m and whilst no bus service through the estate is required, provision for bus stops are shown on the Spine Road to improve access to public transport in the future should this be required by bus operators.
32. In terms of school provision and following recent dialogue with officers within Education it has been explained that demand for primary school places has reduced across the six primary schools in Ingleby Barwick. It is considered that there is no longer the need to reserve land to deliver a new primary school across the two housing sites (this and the neighbouring site that was recently refused) and instead contributions towards primary/secondary school provision in line with the Council's standard formula will be sufficient to address future school place need.
33. There is an application for a local centre (24/0977/OUT which remains undetermined but if successful would further improve the sustainability of this area through increased service provision, however at present this can be given no weight.

Proposed layout and design.

34. The NPPF places a strong importance on achieving good design and it is seen as being a key aspect of sustainable development and should contribute to making attractive places. Whilst it is acknowledged that the provision of housing on any areas of undeveloped land will have a negative impact in the sense that it replaces green areas with built form it is considered that the proposal will not have a significant adverse impact on the landscape subject to conditions to secure the landscaping details.
35. The proposed development is divided into two parcels which is for two separate Developers. The northern aspect is to be developed by Keepmoat and will provide the bulk of the affordable housing in conjunction with Thirteen as the RSL and the southern element is Persimmon Homes who are providing 5 of the 69 affordable homes. Whilst it would be preferable to see the affordable housing pepper potted over the two parcels of land, the partnership between Thirteen and Keepmoat has to be acknowledged and the delivery of 39% affordable homes of which 80% (51 dwellings including 6 bungalows) is to be socially rented is welcomed and in this instance the Strategic Housing Team raise no objections.
36. There will be 240no. M4(2) compliant units which equates to approximately 70% of the dwellings across the site which is an overprovision compared to Local Plan policy which only requires 50% of the development to be M4(2). There are no M4(3) types on the site, however, the scheme will deliver 6no. bungalows as part of the 20% affordable requirement. Whilst not totally policy compliant it is considered that the higher percentage of M4(2) will provide a product which enables people to live more independently in the future.
37. The housing layout meets the required separation distances which are considered acceptable and satisfactory noise levels can generally be achieved across the site including with windows open. However, a number of facades on plots located within the southern and eastern parts of the site will require a scheme of enhanced glazing and alternative means of

ventilation to achieve the guidance noise levels. The recommendations in the noise report have been secured by condition.

38. Construction of the proposed layout will necessitate the removal of nine individually surveyed trees, three groups of trees, along with sections of four groups and two hedgerows. The survey undertaken states that from an arboricultural perspective the magnitude of impact from the losses required is deemed to be moderate. Post-development tree planting, as detailed within the landscape strategy, will assist with mitigating the losses required and the details have been secured by condition. Neighbours have raised concerns about the loss of the hedgerow to the rear of Floret Way, however this hedge has been surveyed and is a Category C and considered to be of low quality and value, but of an adequate condition to remain in the short-term. Whilst regrettable, it is not considered that the removal of the hedgerow would be a reason to refuse the application in this instance.
39. Landscaping is provided along the main spine road and smaller species in the secondary roads and cul-de-sacs. A master plan has been provided which is broadly acceptable and the final details can be secured by condition.
40. Place Development suggested that the applicant should create distinct and legible character areas within the development, including elevated public realm features such as gateway / node points at key junctions, as well as suggesting some hard landscaping to be elevated in these areas to create public realm features. The plans have been revised to resolve these comments. Comments in relation to materials for the northern aspect are noted and a condition in relation to hard landscaping has been recommended to ensure the quality is extended across the two sites.
41. Comments from Cleveland Police are noted about permeability, but this is contrary to the aims of the local plan and Active Travel England who seek to improve permeability to allow access by other means of transport or on foot. Comments in relation to the footpath between plots 139 & 140 are also noted but this is required to meet and connect with the footpath on the adjacent Miller Homes Site and to prevent a dead end being created.
42. In terms of open space, the adjacent (Miller Homes) site has provided 0.6 hectares of open space for a kickabout area and acknowledging this, a different form of open space has been proposed as a more linear provision running north to south through the site and linking to the woodland area to the north, this will provide a route for recreation and walking with a 'trim trail' and 'stop and play' provision which is considered acceptable as a different form of open recreation to space to serve the Low Lane Housing commitment.
43. The means of enclosure are generally considered suitable however there are a number of areas where the scheme is not acceptable, and a condition has been recommended to secure these details.

Impact on neighbouring properties,

44. The main neighbours to this development are the newly built properties to the west of the site and the existing houses and properties under construction to the south of the site. The proposed houses all meet the required separation distances and therefore the siting and positioning are considered acceptable and there will be no adverse impact caused through overlooking or loss of privacy. Comments about the increase in numbers of people walking through the site are noted but this site is part of a housing commitment, and any increase in numbers of persons within the wider site is not considered a reason to refuse the application,
45. An air quality assessment accompanies the application and demonstrate that with a construction management plan there will be no adverse impact and construction dust

emissions are considered to be 'not significant' in accordance with Institute of IAQM guidance. The requirement for a Construction Management Plan has been conditioned.

46. Comments from the EHO and residents in relation to construction noise are noted however as with all building sites there will be a level of disturbance. It is considered that with a Construction Management Plan and a condition to control the working hours that this can be limited to an acceptable level. It should be noted that the hours quoted in the draft CMP do not align with the proposed condition, but this will be rectified with the submission of a new CMP as controlled by condition.

Highway related provisions

47. The application is accompanied by a Transport Assessment which demonstrates that the site can be safely accessed by pedestrians, cyclists, and motorists.
48. ATE comments are noted, however the design principles for the Spine Road are fixed as a result of previous applications and includes a 6.7m wide carriageway, suitable to accommodate a bus route, and indicative bus stop locations have been identified, to illustrate how access to public transport services could be enhanced. Cycle paths and footways are also provided.
49. Concerns have been raised regarding the road infrastructure and traffic. Whilst these comments are noted, assessments have shown that the proposed development would have no severe cumulative operational impacts on the surrounding local road network and no significant impacts on the network in terms of highway safety. As confirmed by the HTDM it cannot be demonstrated within the context of the NPPF that the residual cumulative impacts on the road network of the proposals would be severe.
50. A Travel Plan which outlines the measures that can put in place once the development is occupied, to promote sustainable travel initiatives for new residents accompanies the application. A condition has been recommended to secure the plan.
51. The proposal has been reviewed by National Highways and the Highways, Transport and Design Manager who raised no objections to the proposed scheme.
52. A detailed road traffic emissions assessment was undertaken, and the results show that the development was not predicted to result in any new exceedances of the relevant air quality objectives and the impact of the development on local air quality was predicted to be 'negligible' in accordance with guidance.
53. Comments in relation to affecting a public right of way are noted but there is no PROW on this site and none will be affected.

Impacts on flood risk and drainage

54. The applicant has submitted a flood risk assessment, drainage strategy and are providing SUD ponds to serve the development. The proposed development is classified as 'more vulnerable' and is located within Flood Zone 1, therefore, the development is suitable within this flood zone in accordance with NPPF.
55. Surface water runoff will mimic the existing undeveloped site but will apply a restricted discharge rate which will result in a reduction from predevelopment rates during extreme rainfall events which result in flooding / flood risk. Therefore, development of the site results in a reduction in flood risk in the area.

56. In terms of Foul Drainage, it is proposed to discharge foul flows to the existing foul sewer network to the north via a pumping station.
57. The LLFA have reviewed the plans and raised no objections subject to conditions which have been recommended.
58. Overall, it is considered that the applicant has provided information to show that the proposed development can be controlled without increasing existing flood risk to the site and there are no objections to the development from a flood risk / drainage aspect, subject to a number of conditions which have been recommended.

Impact on Ecology

59. An Ecological Appraisal accompanies the application which required further survey work which have been undertaken. A number of objections have been raised in relation to the impact on wildlife currently using the wider site beyond the existing housing development sites.
60. The submitted reports make a number of recommendations for avoidance, mitigation and compensation and with these reports secured it is not considered that there will be a significant adverse impact on ecology or wildlife at the site. The Environmental Agency have suggested conditions in relation to a CEMP which has also been recommended.
61. Comments have been received from interested parties in regard to the submitted information and the content including the timing of the surveys. Further surveys have been undertaken by a fully qualified assessor in order to inform the impact assessment for the scheme as well as the biodiversity net gain assessment and there are no matters that would prevent the development going forward.
62. As part of the design of the scheme, areas along the watercourse which runs through the site have been maintained, and management will be undertaken in accordance with a Management and Monitoring Plan to ensure habitat creation, enhancement and conservation is achieved which has been secured by condition.
63. Although a few species have been identified as being present which are listed on Local Wildlife Site selection criteria, the site is not a Local Wildlife Site and nor has it been designated as such.
64. Biodiversity Net Gain became a mandatory 10% requirement under the Environment Act 2021 which came into effect on 12 February 2024. This application was submitted prior to that date, nonetheless in terms of BNG, a report has been submitted which concludes that to deliver net gain in relation to the proposed development, off-site compensation will be required as the areas available on site are not sufficient to address the loss. The credits have been secured off site with the same agreement for the Nutrient Credits as detailed below.
65. Overall, it is considered that there will be no adverse impact in relation to ecology or biodiversity that would warrant refusal of the application.

Nutrient Neutrality

66. A Nutrient Mitigation Strategy accompanies the application. The applicant has an agreement to purchase Units/Credits from a landowner and approved registered body to cover all the offsite requirements for both BNG (24.18 Units) and Nutrient Neutrality (355.11KgTN/yr credits) for the proposed development. This will be secured by a Section 106 Agreement.

67. The Appropriate Assessment has been sent to Natural England for review and agreement. At the time of writing this Report no response has been received. However, with mitigation secured which could be via the scheme as proposed or the Natural England credit scheme it is considered that the integrity of the SPA can be protected and the proposed development will not result in an increase of nitrogen reaching the SPA/Ramsar site.

Other Matters

68. Comments from the NHS relating to contributions are noted, however this is a housing commitment in the local plan. No adjacent sites have been required to pay this sum and it is therefore considered unreasonable to include this request in the section 106.
69. Tees Archaeology have reviewed the application and confirmed that following archaeological work on site which revealed archaeological remains of an earlier prehistoric date, including two possible cremations, along with evidence for Iron Age/Romano British activity, they have no objection but recommended that further analysis work is carried out which can be secured by a condition.
70. Comments from the Environment Agency in relation to Water Quality Permits and Abstraction Licences are noted and have been added as an informative for the applicant's attention. These are not matters for this planning application are dealt with under separate legislation.
71. Contaminated Land Surveys were undertaken and did not identify any potential pollutant linkages which could result in an unacceptable risk to any receptors. The Councils Contaminated Land Officer is satisfied the risk from contamination has been addressed and no remedial measures are required. Nonetheless the unexpected land contamination condition has been recommended as a precaution.
72. Cleveland police comments on materials, windows and doors are noted and have been passed to the applicant for review along with the comments in relation to the bin access having a lockable gate which is a common design feature where there are terraced houses.
73. Comments in relation to devaluation are noted but are not a material planning consideration.

CONCLUSION

74. The development forms part of an allocated site in the local plan. It is considered that there are material benefits arising from the proposed development and there are not any adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole.
75. Other material considerations have been considered in detail and the development as proposed is considered to be acceptable in terms of visual impact and highway safety, it does not adversely impact on neighbouring properties, archaeology, ecology or flooding
76. For the reasons stated above and detailed in the report it is recommended that the application be Approved with Conditions and subject to the completion of a Section 106 Agreement as detailed within the Heads of Terms and the acceptance of the Appropriate Assessment.

Director of Finance, Development and Business Services
Contact Officer Elaine Atkinson Telephone No 01642 526062

WARD AND WARD COUNCILLORS

Ward Southern Villages
Ward Councillor Councillor Elsi Hampton

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

Application File

Stockton on Tees Local Plan Adopted 2019

SPD1 – Sustainable Design Guide - Oct 2011

SPD2 – Open Space, Recreation and Landscaping - Dec 2009/2014

SPD3 – Parking Provision for Developments - Oct 2011

SPD – Housing (Meeting Housing Needs) - Adopted May 2021