

Report to Stockton-on-Tees Borough Council

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an Inspector appointed by the Secretary of State

Date: 17 December 2018

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Stockton-on-Tees Local Plan

The Plan was submitted for examination on 21 December 2017.

The examination hearings were held between 5 and 21 June 2018.

File Ref: PINS/H0738/429/6

Abbreviations used in this report

2004 Act	Planning and Compulsory Purchase Act 2004
DTVA	Durham Tees Valley Airport
DtC	Duty to Co-operate
dpa	Dwellings per annum
dph	Dwellings per hectare
ELR	Employment Land Review
GTAA	Gypsy and Traveller Accommodation Assessment
HRA	Habitat Regulation Assessment
HMA	Housing Market Area
HRR	Household Representative Rate
HSE	Health and Safety Executive
LEP	Local Enterprise Partnership
LDS	Local Development Scheme
LWS	Local Wildlife Site
MM	Main Modification
OAN	Objectively assessed need
PPG	Planning Practice Guidance
PSED	Public Sector Equality Duty
RSPB	Royal Society for the Protection of Birds
SA	Sustainability Appraisal
SUE	Sustainable Urban Extension
SPA	Special Protection Area
SEP	Strategic Economic Plan
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document
TEP	Tees Estuary Partnership
TVU	Tees Valley Unlimited
WPVA	Whole Plan Viability Assessment
WMS	Written Ministerial Statement

Non-Technical Summary

This report concludes that the *Stockton-on-Tees Local Plan* provides an appropriate basis for the planning of the borough of Stockton-on-Tees, provided that a number of main modifications are made to it. Stockton-on-Tees Borough Council has specifically requested that I recommend any main modifications necessary to enable the Plan to be adopted.

The main modifications all concern matters discussed at the examination hearings. Following the hearings the Council prepared a schedule of the proposed modifications and where necessary carried out a sustainability appraisal of them. The main modifications were subject to public consultation from 27 September to 8 November 2018. I have recommended their inclusion after considering all the representations made. In summary, they:

- Amend Policy SD3 to clarify that new development will be supported in the main settlements of the Conurbation and within the limits of Villages, and to include a review mechanism linked to housing delivery;
- Amend Policy H1 to:
 - confirm that the continued principle of residential development is acceptable on "re-affirmed" sites;
 - provide development principles for all the allocated sites;
 - delete Boathouse Lane (Site 3.1);
 - identify Tees Marshalling Yard (Site 3.2) as a long-term regeneration opportunity site;
 - include a requirement for remodelled facilities to be provided in advance of residential development at Eaglescliffe Golf Course (Site 3.13); and
 - require the redevelopment of playing fields to accord with Policy TI2.
- Modify Policies H2 and H3 (relating to strategic sites at West Stockton and Wynyard) to ensure that they are effective;
- Amend Policy H4 to make it clear to decision-makers what type and tenure of housing will be required, including specific requirements where the viability of affordable housing is tested;
- Modify Policy H5 to specify that the need for gypsy and traveller accommodation will be met at Mount Pleasant Grange;
- Modify Policy EG1 to differentiate between general and specialist employment sites, including criteria for alternative uses of employment land and buildings;
- Modify Policies EG2 and EG3 to provide clear criteria for town centres;
- Include a review mechanism in Policy EG4 to consider progress against the strategic mitigation proposed in the Tees Estuary masterplan;
- Delete Policy EG6(5) relating to the proximity between hot food takeaways and schools, parks and playgrounds;
- Delete the safeguarded route of the Portrack Relief Road and new River Tess crossing under Policy TI1; and
- Include specific criteria for development proposals in green wedges.

Other changes are also recommended to ensure that the Plan is justified, effective and consistent with national planning policy.

Introduction

1. This report contains my assessment of the *Stockton-on-Tees Local Plan* in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first, whether the Plan's preparation has complied with the duty to co-operate ('DtC'). It then considers whether the Plan is sound, and finally, whether it is compliant with the legal requirements. Paragraph 182 of the 2012 National Planning Policy Framework ('the Framework') states that in order to be sound a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised Framework was published in July 2018. It includes a transitional arrangement in paragraph 214 whereby, for the purpose of examining this Plan, the policies in the 2012 Framework will apply. Likewise, where the national Planning Practice Guidance ('PPG') has been updated to reflect the revised Framework, the previous versions of the PPG continue to apply. Therefore, unless stated otherwise, references in this report are to the 2012 Framework and the versions of the PPG which were extant prior to July 2018.
3. The starting point for the examination is the assumption that Stockton-on-Tees Borough Council ('the Council') has submitted what it considers to be a sound plan. The Plan, submitted in December 2017, is the basis for the examination. It was published for consultation during September and November 2017.

Main Modifications

4. In accordance with Section 20(7C) of the 2004 Act the Council has requested that I should recommend any Main Modifications ('MMs') necessary to rectify matters that make the plan unsound, and thus incapable of being adopted. This report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearing sessions, are necessary. The MMs are referenced in bold in the report (**MM01**, **MM02** etc.) and are set out in full in **Appendix 1**.
5. Following the examination hearings the Council prepared a schedule of the proposed MMs and carried out a sustainability appraisal ('SA') of them where relevant. The MM schedule was subject to public consultation between 27 September and 8 November 2018. I have taken account of the consultation responses in coming to my conclusions and have made minor amendments to the detailed wording where necessary. The changes are highlighted in the report and do not significantly alter the modifications or undermine the participatory process.

Policies Map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination the Council is required to provide a submission policies map showing the changes that would result from the proposals in the plan. In this case, the submission policies map is set out on the Overview Map, Maps 1-28 and Inset Maps 1-5.

7. The policies map is not defined in statute as a development plan document and therefore I do not have the power to recommend main modifications to it. However, a number of the proposed MMs require corresponding changes to the policies map. For example, the deletion of allocated sites from Policy H1, the deletion of safeguarded transport routes and highways infrastructure from Policy TI1 and the deletion of safeguarded employment land from Policy EG1. Any cartographical errors should also be rectified, such as the boundaries to the specialist employment designation at Seal Sands.
8. Changes to the submission policies map were published for consultation alongside the MMs. When the Local Plan is adopted, in order to comply with the legislation and give effect to its policies, the Council will need to update the adopted policies map to include the proposed changes.

Assessment of Duty to Co-operate ('DtC')

9. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council has complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
10. The Council's *Duty to Cooperate Statement of Compliance Submission* and *Duty to Cooperate Statement of Compliance Submission Addendum*¹ provide a summary of the strategic matters that have been discussed with neighbouring authorities across the Tees Valley. Examples include the distribution of new housing and the approach to development at Wynyard.
11. The *Statement of Common Ground*² between Hartlepool Borough Council, Stockton-on-Tees Borough Council and Highways England sets out an agreed position on the strategic cross-boundary issues at Wynyard, and actions to ensure that the vision for the area is fulfilled. Amongst other things this includes the production of a cross-boundary masterplan and highway improvements to the A689 and A19. Both are included in Policy H3. The Council has therefore identified a cross-boundary issue, discussed it with a neighbouring authority and taken forward an agreed strategy which is reflected in local plan policy. This is synonymous with the outcomes expected in the PPG.³
12. Due to the proximity between the urban areas of Stockton, Middlesbrough and Redcar & Cleveland, a collaborative approach to meeting housing needs *could* have been taken. But the DtC does not require authorities to prepare a joint plan. As set out in the *Statement of Common Ground: Housing Market Area & Housing Requirements*⁴, housing growth has been discussed across the Tees Valley with agreement between Stockton-on-Tees Borough, Middlesbrough, Darlington, Hartlepool and Redcar & Cleveland on the most appropriate way forward. None of the Tees Valley authorities have asked the Council to accommodate any unmet housing need, or raised any objections to the housing requirement in the Plan.

¹ Documents SBC03/2 and SBC03/3

² Document EX/HS/1/3a

³ Paragraph: 010 Reference ID: 9-010-20140306

⁴ Document EX/SBC/19/SoCG

13. The Council has also been actively working with Darlington Borough Council regarding Durham Tees Valley Airport. This has led to agreement on the approach to support further airport-related development, including a link road to open-up employment land to the south of the runway. In this regard the Plan is consistent with paragraph 31 of the Framework which states that local authorities should work together to develop strategies for the provision of infrastructure necessary to support sustainable development, including for the growth of airports.
14. I therefore conclude that where necessary the Council has engaged constructively, actively and on an on-going basis in the Plan's preparation. Dialogue has led to specific policy outcomes and the DtC has been met.

Assessment of Soundness

Main Issues

15. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 14 main issues upon which the soundness of the Plan depends. The following sections of the report deal with the main issues and focus on matters of soundness, rather than responding to every point raised by representors.

Issue 1 – Whether the Plan is informed by a robust, objective assessment of housing need and whether the housing requirement is justified

16. Policy SD2 sets out a housing requirement of **10,150** dwellings over the plan period (2017-2032). A minimum of 3,600 dwellings (or 720 dpa) will be delivered from 2017/18 to 2021/22. Thereafter, a minimum of 6,550 dwellings (or 655 dpa) will be delivered from 2022/23 to 2031/32.

Housing Market Area

17. The PPG⁵ advises that housing market areas ('HMA's') can be broadly defined by assessing migration flows and the extent to which people move house in an area. A high proportion of household moves is defined as typically 70%.
18. The *Strategic Housing Market Assessment* ('SHMA') identifies that in the 12 months prior to the 2011 Census around 68-69% of all moves to and from Stockton-on-Tees originated within the borough.⁶ For the purposes of the PPG a relatively high proportion of household moves are therefore contained within the Stockton-on-Tees Borough.
19. The SHMA suggests that either a combined Tees Valley HMA, or one focused on Stockton-on-Tees, Middlesbrough and Redcar & Cleveland would also be justified. However, the Council has been actively engaging with other Tees Valley authorities regarding housing provision throughout the preparation of the Plan. This ongoing dialogue has culminated in a Statement of Common Ground which confirms that it is appropriate for Stockton-on-Tees to have its own HMA.

⁵ Paragraph: 011 Reference ID: 2a-011-20140306

⁶ Document SBC04/1/1

20. I therefore conclude that the proposed HMA is justified based on the evidence contained in the SHMA.

Demographic Starting Point

21. The PPG advises that household projections should provide the starting point for estimating housing need. They are trend-based and do not attempt to predict the impacts of changing economic circumstances or other factors such as Government policy. Plan makers may also consider sensitivity testing, specific to their local circumstances, based on alternative assumptions regarding demographic projections and household formation rates.⁷
22. At the time the SHMA was produced the 2012-based household projections were the most up-to-date estimate of housing growth. Over the plan period they projected an increase of around 7,900 households. Assuming a vacant and second home rate of 3.8% (in accordance with the 2011 Census), approximately **8,200** dwellings would be required to accommodate this level of growth.
23. However, the 2012-based projections were informed by a period of economic downturn and significant variations in local migration.⁸ The SHMA has therefore considered 10-year trends between 2004 and 2014. This is robust as it avoids forecasting future needs based on a short-term recessionary period influenced by significant variations in migration. Using the 10-year migration trend increases the projected household growth from around 7,900 to approximately 8,500 households over the plan period, or **8,850** dwellings.
24. The SHMA has also considered the implications of the 2014-based household projections, released in July 2016. The projected growth is around 90 households per year lower. However, the SHMA confirms that the differences in the projections are largely associated with migration rates, which are typically based on 5-year trends. As a result, short-term changes in migration patterns can significantly affect the projected population growth. Based on the evidence provided the 10-year trends used in the SHMA therefore remain a robust starting point.

Market Signals

25. The PPG also advises that the demographic starting point should be adjusted to reflect appropriate market signals, as well as other market indicators concerning supply and demand.⁹ Signals may include land prices, house prices, rental levels, affordability, the rate of development and overcrowding, including concealed and sharing households.
26. In 2014/15 lower quartile house prices in the Stockton-on-Tees Borough (£100,200) were around 25% lower than the figure for England (£134,300). The increase from 2009/10 was 4%, compared with a national increase of 10%. The ratio of lower-quartile house prices to lower-quartile earnings also shows a consistently better picture than the average for England. Between

⁷ Paragraph: 015 Reference ID: 2a-015-20140306 and Paragraph: 017 Reference ID: 2a-017-20140306

⁸ SHMA Figure 12

⁹ Paragraph: 019 Reference ID: 2a-019-20140306

2009/10 and 2014/15 the ratio in Stockton-on-Tees decreased (from 5.7 to 5.4), compared with a national increase from 6.7 to 6.9.

27. During 2014/15 average monthly rents were also around 29% lower than England. Compared to the previous five year period rents only increased by 4%, with a national increase of 11%. None of the price indicators therefore show worsening affordability in the Stockton-on-Tees Borough.
28. The SHMA does, however, demonstrate that the number of concealed families grew from 448 in 2001 to 806 in 2011, an increase of 71%. By far the largest change was for under 55s, with the number of concealed families rising from 373 to 646 (an increase of 273). Whilst some people may choose to live together as extended families, it is reasonable to conclude that others have had to live together due to affordability constraints. Because concealed families and homeless households are not counted as part of the projections, the SHMA applies a further uplift of 273 households (or 283 dwellings). This is justified to account for the unmet need for housing and increases household growth to 8,775, or **9,130** dwellings.
29. The SHMA has also considered the rate at which households form by assessing 'household representative rates' ('HRRs'), published as part of the household projections. Using the HRRs from the 2014-based projections has a modest impact, reducing household growth by around 1.5% to 8,995 dwellings over the plan period (rounded up to **9,000**). This represents the objectively assessed housing need for Stockton-on-Tees Borough.
30. It has been suggested that the 2012 and 2014-based HRRs do not adequately reflect the worsening affordability amongst 25-34 year olds. In response document EX/SBC/30 considers the implications of returning rates to their 2001 levels for each age group. For 25-29 year olds and 30-34 year olds there is a sharp increase in the projected number of household representatives, and subsequently, the number of households. But this is not the case throughout. Returning the remainder of age groups to 2001 levels would reduce the total projected number of household representatives. The overall impact would be to reduce the 2014-based projections by 1,461 households. It is also important to consider that an upwards adjustment to account for concealed families and homeless households has already been made. To include a further allowance for suppressed household formation would therefore risk double-counting.

Future Jobs

31. Figure 18 of the SHMA indicates that the economically active population is likely to increase by around 2,600 people over the plan period. On the other hand, forecasts in the *Employment Land Review*¹⁰ ('ELR') predict that 4,700 new jobs will be created. As a result, there could be insufficient workers to fill the additional roles.
32. One option to address this imbalance would be to build more houses. However, additional evidence provided by the Council¹¹ suggests that the

¹⁰ Document SBC05/2

¹¹ Document EX/SBC/30

number of people with two or more jobs is expected to increase over the plan period. Whilst this is a judgement, the figure of 4.2% is similar to the one produced by Oxford Economics for Middlesbrough (4.3%). It is also considerably lower than the East of England Forecasting Model, produced by Cambridge Econometrics, which has a rate of 9.2% for the South East. The allowance for people with more than one job is therefore reasonable, and reduces the number of additional jobs that need to be filled by 500.

33. Middlesbrough's SHMA¹² also states that it's economically active population is likely to increase by over 6,200 people between 2016 and 2034, yet only 500 net new jobs will be created. As a consequence, "*...there will be a surplus of workers in Middlesbrough.*" When taking into account the close proximity between Stockton and Middlesbrough, especially around Seal Sands, North Tees, Billingham and the Teesside Industrial Estate, workers will be able to easily access the jobs on offer in Stockton-on-Tees without leading to the unsustainable commuting patterns which the PPG seeks to avoid. I am also mindful that not all of the roles would need to be filled by workers from Middlesbrough. Information provided by the Tees Valley Combined Authority, based on Census travel to work data, shows a net daily outflow of 1,890 commuters from Stockton-on-Tees to Middlesbrough. Some of the additional jobs could therefore be met through a reduction in people leaving Stockton-on-Tees for work each day.
34. Cross-boundary commuting patterns need to be agreed with other relevant authorities. In this case Stockton-on-Tees and Middlesbrough Borough Councils have been involved in ongoing discussions throughout the preparation of the Plan. No objections have been raised by Middlesbrough and the two authorities have signed a Statement of Common Ground relating to housing needs. Should Middlesbrough pursue different growth options, this would be a matter for examination of their Local Plan at the relevant time.
35. Reference has also been made to the Strategic Economic Plan ('SEP') target to generate 25,000 net new jobs across the Tees Valley. But the targets set out by the Tees Valley Local Enterprise Partnership ('LEP') are aspirational. The strategy also seeks to create more and better paid jobs to address high levels of unemployment. It is not based on the long-term in-migration of workers. At this moment in time further adjustments in the assessment of housing need are therefore not required to account for potential future job increases.

Older People's Needs

36. Based on migration trends from 2004 to 2014 the SHMA projects a growth of 940 people aged over 75 living in communal housing up to 2032. In response, the emerging *Stockton-on-Tees Borough Adult Strategy* specifically seeks to prevent, reduce or delay the need for ongoing support and maximise older people's independence. Policy H4 also aims to increase the supply of accessible and adaptable dwellings. Both strategies therefore aim to support older people so that they can live in their own homes for longer. If successful, they will result in the need for more housing, as fewer older people access institutional accommodation.

¹² Document EX/OTH/2

37. The SHMA therefore estimates that an additional 793 dwellings will be required (accounting for the fact that not every person will need a dwelling – such as couples). This is a positive, appropriate response to the age demographics of the borough and justifies a need for **9,793** dwellings.

Backlog

38. The SHMA assesses housing needs between 2014 and 2032. However, the Plan period is from 2017 to 2032. From the base date of the SHMA to the starting point of the Local Plan net completions were 1,729, leaving an undisputed backlog of 332 homes. Policy SD2 therefore has a stepped approach, with a higher housing requirement during the first five years of the Plan. This is justified and necessary to account for the under-provision.

Conclusion – OAN and Housing Requirement

39. The demographic starting point has been adjusted to reflect longer-term migration trends from 2004 to 2014. It represents an increase of around 8% from the 2012-based household projections and equates to **8,850** dwellings.
40. A further adjustment has been applied to account for concealed families, which increases the OAN to approximately **9,130** dwellings. Applying 2014-based household representation rates reduces projected growth slightly to **9,000** dwellings over the plan period. This represents the full objectively assessed need for housing. To arrive at the housing requirement a further uplift has been applied to account for strategies for older people and backlog since the base-date for the SHMA. Rounded up the housing requirement for Stockton-on-Tees is **10,150** dwellings.
41. During consultation on the MMs the 2016-based household projections were published. Nationally, the figures show a slower household growth than previously projected. A similar trend was identified when assessing historic projections in the SHMA. However, assessing the full implications of the changes would require an update of the SHMA, and inevitably delay adoption of the Plan. In addition, the latest projections would not necessarily result in a lower OAN for Stockton-on-Tees, as the SHMA uses 10-year trends and applies uplifts for concealed families and the Council's strategy for elderly accommodation. The PPG also confirms that that housing assessments are not automatically rendered outdated every time new projections are issued.¹³
42. Establishing the future need for housing is not an exact science and assessing the OAN for housing requires an exercise of reasoned judgements based on a careful assessment of the relevant evidence at the time. The Council has followed this approach. The housing requirement is a positive response to meeting housing needs in Stockton-on-Tees and represents a scale of housebuilding which is significantly greater than the *Stockton Core Strategy*.
43. I therefore conclude that the Plan is informed by a robust, objective assessment of housing need and is positively prepared in identifying a housing requirement to meet that need in full. However, for clarity, and to correct an error, the supporting text to Policy H1 is amended by **MMO4**.

¹³ Paragraph: 016 Reference ID: 2a-016-20150227

Issue 2 – Whether the Plan's housing strategy and distribution of growth are justified, effective and consistent with national planning policy

Housing Strategy

44. No hierarchy is proposed in the Plan between the main settlements. Instead, Policy SD3 supports new residential development in the Regenerated River Tees Corridor, the Conurbation and on strategic sites at West Stockton and Wynyard.
45. The approach in Policy SD3 reflects the geography of the borough. The main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Yarm and Eaglescliffe, which comprise the Conurbation, all form part of a single urban area. All have access to public transport and benefit from shops, services and facilities. Identifying the Conurbation as a single, principal area for growth, with the Regenerated River Tees Corridor at its core, is therefore the most appropriate strategy. However, to ensure consistency in the terminology used, the reference to 'main towns' is deleted by **MMO1**.
46. In seeking to meet the identified need for housing there is a requirement for further growth beyond the Conurbation. This is primarily due to the marginal viability of redeveloping brownfield land in and around the Regenerated River Tees Corridor, and the limited capacity of the main settlements to accommodate additional growth. Policy SD3 therefore supports new housing development at the West Stockton Sustainable Urban Extension ('SUE') and at Wynyard. This is one of the main differences from the *Stockton Core Strategy*, which focused predominantly on the 'Core Area'.
47. The western extension to Stockton will provide approximately 2,500 new homes in an accessible location close to existing shops, services and public transport. The scale of development has been restricted by highways capacity, but still provides the critical mass required to deliver the necessary community infrastructure. Alternative strategies would rely on a greater number of smaller sites. Such a dispersed approach would not provide the same benefits as a single strategically planned urban extension. In this regard the Plan is consistent with paragraph 52 of the Framework which states that *"The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns..."*
48. The same principles also apply to the identification of a new settlement at Wynyard. Following the recession in the mid-late 2000s it became apparent that not all of the employment land north of the A689 would be delivered. In the absence of reasonable alternative options for significant new housing growth the identification of land at Wynyard, working alongside Hartlepool Borough Council, provides an opportunity to meet identified housing needs as part of a sustainable new settlement. As with West Stockton, it provides an opportunity to deliver housing growth as part of a comprehensive masterplan.
49. So far developments at Wynyard have delivered mainly executive housing with limited shops, services and facilities, no public transport other than a temporary shuttle bus service and poor internet connectivity. However, by defining Wynyard as a new settlement and allocating sites to promote growth, the Plan seeks to create the critical mass of development necessary to support

new facilities. It also ensures that future development can be planned in a coherent manner, including the provision of new infrastructure. The strategy for Wynyard is therefore entirely consistent with the Framework's Core Planning Principles which seek to focus significant development in locations which are, or can be made sustainable.

50. Outside the Conurbation, West Stockton and Wynyard there are a number of Villages within the countryside defined by limits to development. As evidenced in the Council's Matter 4 Statement,¹⁴ the Villages are significantly smaller than any of the main settlements in the Conurbation. The largest village, Stillington, only has around 450 dwellings. In comparison, Yarm (the smallest settlement in the Conurbation) has over 4,000 dwellings. The size of the Villages, their location beyond the Conurbation and their different character, role and function, all justify identifying them separately within the housing strategy.
51. Despite being located close to Billingham, Wolviston is separated from the Conurbation by open fields and a dual carriageway. It also has a clearly different character and feel. As a result, its identification as a Village is appropriate.

Distribution of Growth

Conurbation

52. The largest percentage of housing growth over the plan period from commitments and allocations will be in Stockton¹⁵ (roughly 26%) and the Regenerated River Tees Corridor (around 17%). Focusing the majority of new housing in these locations reflects Stockton's role and function as the main administrative centre of the borough with the greatest access to services, jobs and transport. Elsewhere within the Conurbation housing growth is distributed between Eaglescliffe (10%), Ingleby Barwick (16%) and Yarm (11%).
53. Only around 1% of the planned housing growth is proposed for Billingham and Thornaby respectively. However, Policy SD3 does not seek to distribute housing evenly between the settlements. As identified above, this is justified based on the geography of the area. Taken as a whole the Conurbation will be the main focus for growth, accounting for approximately 83% of all new housing over the plan period.¹⁶
54. The distribution of housing between individual settlements has also been influenced by the site selection process, existing commitments and the need to deliver substantial growth at the two strategic sites. As such, there is no precise correlation between the size of a settlement, its level of services and the distribution of housing in Policy SD3. Whether or not Billingham and Thornaby could accommodate more, the Plan is justified when considering the significant level of growth proposed across the Conurbation.

¹⁴ Document EX/HS/4/19

¹⁵ Including the West Stockton SUE

¹⁶ Document EX/SBC/31

Strategic Sites

55. The scale of development at the West Stockton SUE is commensurate with its location on the edge of Stockton. The precise number of dwellings has also been determined by highways capacity, with detailed modelling indicating that 2,150 units can be delivered through identified highway improvements. The allocation of 2,150 dwellings is therefore justified, and combined with the 'reserve land', will amount to around 19% of the total housing growth identified in Policy H1.
56. In part, the amount of growth at Wynyard has been determined by existing commitments, with planning permission for 544 dwellings at Wynyard Village. North of the A689 land is allocated for a further 1,100 dwellings. Policy H1 therefore identifies approximately 1,600 dwellings, or nearly 12% of the total housing growth. Additional sites have also been identified by the *Hartlepool Local Plan*, and both Councils are committed to preparing a joint masterplan for the area. Although more land is available, I am therefore satisfied that the critical mass will be achieved in order to deliver the required mix of uses as part of a sustainable new settlement.

Villages

57. No further housing growth is attributed to the Villages beyond the recognition of commitments. Despite some settlements having shops, services and facilities, the SA found village extensions the least sustainable option. This is further supported by Appendix 6 to the SA¹⁷, which identifies that within the rural area there is a greater dependency on private car use and less reliance on walking or cycling.
58. Furthermore, the majority of Villages in Stockton-on-Tees are not remote rural settlements where the lack of housing allocations is likely to significantly affect residents' ability to meet their day-to-day needs. For example, Wolviston is situated in between Billingham and Wynyard, which is identified as a sustainable new settlement. In addition, Maltby and Hilton are only a short distance from Ingleby Barwick which has several housing commitments, including site 2.IB3 to the south-west of the settlement.
59. Some of the villages also benefit from committed developments. Stillington is the largest village in the borough and has two commitments for approximately 94 dwellings. Combined the sites will increase the number of houses in the village by around 20%. The level of growth will therefore be commensurate with its size, role and level of services. Elsewhere Elton, Cowpen Bewley and Aislaby are all small villages (around 50 houses or less) with limited facilities. The spatial strategy for the Villages is therefore appropriate and sound.

Limits to Development – Policy SD3

60. Establishing boundaries around the Conurbation, the strategic sites and the Villages provides certainty and clarity to decision-makers, developers and local communities. It is consistent with paragraphs 154 and 157 of the Framework which state that local plan policies should provide a clear indication how a

¹⁷ Document SBC/01/5

decision-maker should react to proposals, allocate sites to promote development and identify areas where development would be inappropriate.

61. However, as submitted it is not clear that residential development is actively supported in the Regenerated River Tees Corridor and the Conurbation, both of which are defined on the policies map. To ensure that the Policy is effective reference to 'suitable' sites and 'previously developed sites' should also be deleted. The draft text infers that only previously developed land will be supported, which was not intended by the Council and would restrict other suitable sites from coming forward. Both matters are addressed by **MM05**, with consequential changes necessary for effectiveness by **MM06**.
62. Restricting residential development to only infilling in the Villages is also overly restrictive and could prevent new housing coming forward in the rural areas. To ensure consistency with paragraph 55 of the Framework, which seeks to promote sustainable rural growth, **MM05** is necessary to support residential development within the limits to development. Concerns regarding the character and appearance of villages would be adequately addressed by Policy SD8 relating to design.
63. As submitted Policy SD3 also limits residential development in Villages to circumstances where it represents 'sustainable development'. Without any specific criteria to follow this lacks sufficient clarity to be effective and is deleted by **MM05**.
64. Outside the limits to development Policy SD3 restricts new housing unless it is essential for a rural worker to live at or near their place of work, represents the optimal viable use of a heritage asset, would re-use redundant buildings or represents an exceptional or innovative design. For effectiveness, further clarity is necessary surrounding the tests for exceptional or innovative design. Reference to enabling development should also be removed. It indicates that development would come forward other than in accordance with the Local Plan, which is not the intention. These matters are addressed by **MM05**.
65. As consulted upon **MM06** refers to the exceptional circumstances where new development is permitted in the countryside. However, Policy SD3(4) refers to dwellings. For clarity and effectiveness I have therefore included the word 'residential' in the schedule of main modifications in Appendix 1.

Re-affirmed Commitments – Policy H1

66. In addition to supporting new residential development within settlements, Policy H1 're-affirms' existing commitments. The reason for reaffirming committed sites is to clarify where, and approximately how much, residential development is permitted. It is also intended to support the continued residential use of sites should planning permission lapse. To ensure a consistent approach the Council has only sought to identify sites which have planning permission for 15 dwellings or more.
67. In principle this approach is justified and provides clarity to decision-makers, developers and members of the local community. It also underpins the spatial strategy by supporting continued residential development on sites such as Wynyard. However, for clarity and effectiveness these objectives need to be set out. For the same reasons, and to ensure consistency, Policy H1 also

needs updating to reflect the latest position regarding committed sites, and to remove sites which fall under the 15 dwelling threshold. (**MM17** and **MM18**)

68. Finally, as submitted the former Blakeston School (Site 2.S10) was identified as a commitment for 84 dwellings. To reflect the approved scheme it is necessary to amend the dwelling capacity to 80. This error is rectified in the schedule at Appendix 1 by **MM17**.

Conclusion

69. Subject to the recommended MMs I therefore conclude that the housing strategy and distribution of growth are justified, effective and consistent with national planning policy. They are supported by the SA which has considered a range of reasonable alternatives, including more dispersed growth.

Issue 3 - Whether the process for selecting residential allocations was robust, and whether they are justified, viable and capable of being developed over the plan period

Methodology

70. The identification of which sites to allocate for housing under Policy H1 has been informed by the SHLAA¹⁸ and the SA. Initially, a desk-based assessment was carried out to identify potential constraints, including input from officers dealing with highways, landscape, valuation and environmental health matters. Sites were then taken forward to the SHLAA Steering Group, which is reviewed on an annual basis to ensure that it includes input from key stakeholders, including housebuilders.
71. Sites have been assessed to consider constraints such as vulnerability to flood risk, the capacity of the highways network, viability, exposure to noise and Health and Safety Executive ('HSE') consultation zones. Consideration has also been given to the need for mitigation, including highways infrastructure.
72. The housing yield has been determined by applying a standard 30 dwellings per hectare ('dph'). Where sites are over 0.4 hectares a discount has been applied to result in a net developable area of 85%. On sites of 2 hectares and above 70% has been used. Alternatively, in cases where planning permission has been granted, developers have submitted detailed plans or site specific circumstances dictate otherwise, a bespoke approach has been followed. The Council's Matter 9 Hearing Statement¹⁹ includes a table detailing the rationale for the dwelling yields of allocated sites. It represents the most up-to-date information and is based on site specific information. The figures used are all justified, however, it does not negate the need for proposals to demonstrate a suitable design and layout.
73. As part of the SHLAA process the Council has sought to identify all possible sites for housing, regardless of location. The spatial distribution of allocations has been informed by the SA, which has also assessed reasonable alternatives. Although the SA ensures that the overall sustainability merits of

¹⁸ Document SBC04/2

¹⁹ Document EX/HS/9/20

sites have been tested on a broadly consistent basis, the process inevitably involves a degree of professional judgement. This judgement also takes into account the number of existing commitments and the spatial strategy. Some sites could therefore be identified as suitable in the SHLAA, but have not been taken forward into the Plan.

74. The SHLAA refers to a 'Strategic Gap' designation used in an earlier draft of the Plan and the Core Strategy. Nevertheless, sites located outside settlement limits were not automatically discounted. Instead, they were considered against the principles of the strategic gap, which were concerned with landscape character and preventing coalescence. The same aims and objectives apply to the countryside designation in the submission Local Plan. In addition, the selection of sites was not solely determined by the SHLAA process.
75. On the whole, the Council's methodology is therefore sound and the evidence to support the chosen options is adequate. The site selection process has been satisfactory and reasonable alternatives have been considered.

Allocated Sites

76. Sites allocated for residential development are listed in Policy H1, with the supporting text intended to provide indicative development principles. To be effective this should be made clear to decision-makers, developers and local communities (**MM19a**). Indicative details should also be provided for all the allocated sites, including approximate dwelling numbers.
77. For clarity, effectiveness and to reflect the most up-to-date position, several other changes are required to the allocated sites and the supporting text as discussed below. To avoid any duplication the required changes to Policies H1, H2 and H3 are all set out in **MM17**, **MM18**, **MM19a**, **MM20**, **MM21**, **MM22** and **MM23**.

Regenerated River Tees Corridor – Policy H1

78. Land at Boathouse Lane (Site 3.1) has areas falling within Flood Zones 1-3b. Although the risk of flooding could be mitigated, the extent of groundworks needed would be significant and costly. Several tenants would also need to be relocated, and the previous planning permissions for residential development have now lapsed. Based on the evidence provided the site is not considered to be developable within the plan period and therefore must be deleted.
79. Several constraints also affect the redevelopment of the Tees Marshalling Yard (Site 3.2). Issues include its current use as an operational rail yard and the potential for contamination. The supporting text to Policy H1 confirms that it has "*numerous deliverability constraints*" which the Council confirms have not yet been fully determined. Given the issues identified, and the lack of any conclusive site investigations and viability assessments, the site is not currently considered to be developable within the plan period.
80. However, I note that the Council is working alongside the Tees Valley Combined Authority, the landowner and Homes England to undertake detailed analysis of future development potential. Previous work with Middlesbrough Council has also been carried out to develop high level development proposals

under the 'Stockton Middlesbrough Initiative'. To reflect the strategic importance of the site to the Regenerated River Tees Corridor, and ongoing feasibility studies, it is necessary to delete the site from the list of allocations but amend Policy H1 and the supporting text to realise the site's development potential either within, or beyond the plan period.

81. Land at the Victoria Estate (Site 3.3) has now been cleared and preparatory works are underway. To reflect the latest position, and the fact that the masterplan has been prepared, a MM is required to update the supporting text. For clarity, and consistency with statutory provisions, it is also necessary to remove reference to development 'avoiding' harm to the Conservation Area.
82. Figure 12 on page 47 of the Plan shows the boundary to Queens Park North (Site 3.4) excluding two parcels of land that formed part of previous proposals. To reflect plans for the site, and encourage the effective reuse of previously developed land, Figure 12 needs to be updated accordingly. It is also necessary for Alma House (Site 3.5) to be identified as a commitment in the Plan to reflect the planning permission approved for the site.
83. Land at Grangefield Road (Site 3.6) has now been cleared. A detailed geo-environmental survey has been undertaken and concludes that whilst there are some areas of contamination, the site is suitable for residential development. Detailed design work has also demonstrated that the site can deliver up to 600 dwellings. The allocation is therefore justified, but the policy needs amending to reflect the correct site area and latest dwelling capacity.
84. Finally, because land at Yarm Road (Site 3.7) falls within the Regenerated River Tees Corridor, it should be moved into that section of the table of allocations.

Conurbation – Policy H1

85. South of Junction Road (Site 3.8) is allocated for 100 houses on a site area of 3.9 hectares. Using the methodology in the SHLAA for calculating site density would generate a slightly lower yield of 82 dwellings. Previous iterations of the SHLAA also focused on a smaller site area comprising the former buildings and hardstanding. Nevertheless, planning permission has now been granted for 96 dwellings. To reflect the approval of planning permission the table of allocations needs to be updated by referring to the site as a commitment.
86. In initially allocating the site the Council's Highways Department assessed the principle of residential development and concluded that it would not have any significant adverse impact on the local highways network. This included data produced by Arup, which specifically considered the area around the West Stockton SUE and Junction Road as part of the North Stockton Aimsun Model.²⁰ In granting planning permission the Council has also reviewed the applicant's Transport Assessment and reached a similar conclusion. No contradictory evidence has been provided to suggest that the cumulative effects of the development would lead to any severe impacts on congestion, or prejudice road safety.

²⁰ Document EX/SBC/24a

87. Sites 3.7 (Yarm Road), 3.9 (Darlington Back Lane) and 3.10 (Former Billingham Campus School) all relate to playing fields. A Statement of Common Ground has been submitted between the Council and Sport England which confirms that the Council is committed to delivering artificial grass pitch provision, with the final location to be identified through a Local Football Facilities Plan developed alongside the Football Association.²¹ Such provision is intended to aid the migration from grass pitches to artificial grass pitches. The Statement of Common Ground therefore finds that *"...it is reasonable to conclude that the sites identified will be deliverable within the plan period and the Sport England objection can be removed."*
88. Although the evidence points towards migration to artificial pitches in the near future, this has not yet occurred. I am also mindful that the supporting text to Policy H1 only provides indicative details, not policy requirements. It is therefore necessary to modify Policy H1 to require proposals for development to meet Policy TI2, which broadly reflects paragraph 74 of the Framework in protecting or replacing open space and sports facilities. The Plan also needs to include a clear commitment to take appropriate action should the anticipated migration to artificial grass pitches not occur. Where necessary this should include an early review of the Plan, or parts of it.
89. To the south of the Bowesfield Industrial Estate are three parcels of land split between allocated sites and 're-affirmed' sites. Although the planning permissions have now lapsed, or are expected to do so, there is nothing to suggest that the sites cannot come forward within the plan period. To reflect the latest position, and in the interest of clarity, it is necessary to identify these sites as allocations. Additional supporting text is also required confirming that the sites complete the 'Bowesfield' area which is a mixed-use location.
90. Around 9 hectares of land are allocated for residential development at Eaglescliffe Golf Course. As submitted the supporting text indicates that surplus land will need to be made available for an expansion to the course before residential development can proceed. This is necessary to ensure that there is no loss of existing sports provision. However, because the supporting text only provides indicative development principles, for effectiveness it is also necessary for the requirement to be set out in Policy H1. For clarity the Plan should also include an illustration of where the expansion onto farmland to the south is intended to be located.
91. The effects of residential development on the Green Wedge are considered in Documents SBC07/21 and EX/HS/9/20. In summary, the main purpose of the Green Wedge in this location is to provide separation between Eaglescliffe and Ingleby Barwick. Because the proposed allocation is bounded to the north and south by existing housing it represents a logical infill opportunity without resulting in any harmful coalescence. Subject to an appropriate final design new residential development would provide a consistent and clearly defined edge to the settlement without taking residential development any closer to Ingleby Barwick. The fundamental aims and objectives of the Green Wedge would be therefore maintained.

²¹ Document EX/SBC/21

92. The Council has also assessed the implications of losing agricultural land to the golf course expansion. Some is classed as the 'best and most versatile'. But no other land is available of a lesser quality which could be used for continued sports provision. There are also several other benefits to the allocation which clearly outweigh the relatively small loss of agricultural land. These include the contribution that the scheme would make to meeting housing needs, the rationalisation of the settlement boundary and the significant improvements that would be made to existing facilities that would benefit the community. The principle of the expansion is therefore justified.
93. Finally, in support of the allocation a Transport Assessment²² has been provided. It concludes that the changes in traffic as a result of the proposed development could be satisfactorily accommodated and will not have a material impact on the operation of the wider road network. The evidence also demonstrates that the development would not cause any highway safety concerns subject to the provision of a dedicated right turn lane from the A135. For clarity and effectiveness **MM19a** specifies the necessary junction improvement works.

West Stockton SUE – Policy H2

94. The Council commissioned further traffic modelling, submitted as part of the examination, to address initial concerns raised by Highways England relating to the age of the survey data. New surveys were undertaken to re-base the West Stockton and Wynyard models. The methodology has been agreed with Highways England and recalibrates the model to include a base year of 2017 for West Stockton and 2016 for Wynyard.
95. In response Highways England has produced a Technical Memorandum which considers the cumulative impact of planned development on the strategic road network. It concludes that subject to highway improvement works the traffic impact of future development at West Stockton can be mitigated. The Technical Memorandum reflects the Joint Position Statement²³ signed by the Council and Highways England prior to the hearing sessions. It confirmed that the quantum of development proposed in the Plan can be delivered alongside infrastructure improvements and will not result in any severe impacts on the strategic road network.
96. The updated model concludes that the proposed highway improvements to the 'Horse and Jockey' junction, the Harrowgate Lane and Leam Lane Junction, Yarm Back Lane/Darlington Back Lane/Bishopton Road West junction and the A66 Elton Interchange are necessary, and would mitigate the expected increase in traffic.
97. Impacts on the local road network have also been assessed through microsimulation traffic models.²⁴ Five models have been built. They include North Stockton (bounded by Junction Road, Durham Road and the A1027), West Stockton (around the SUE), Yarm, Ingleby Barwick and Wynyard. The models assess the cumulative impact of the allocations and test the mitigation

²² Document EX/SBC/24i

²³ Document EX/HS/6/5a

²⁴ Document EX/SBC/24

necessary to facilitate their delivery. I am therefore satisfied that the residual cumulative impacts of the West Stockton SUE, and the other sites allocated in the Plan, are unlikely to have severe impacts on the strategic or local road network, subject to the identified improvements being carried out.

98. To reflect the highways evidence Policy H2 should clarify that the SUE will deliver approximately 2,550 dwellings, with 2,150 houses allocated and 400 on the 'reserve land'. For the same reasons, and to provide clarity, it is necessary to specify that until significant improvements have been made to the A66 Elton Interchange (in addition to the highway works listed above) the 'reserve land' should not be released and the number of new homes on the allocated land will be restricted to 2,150, unless it can be demonstrated that proposals will not undermine the safe and efficient operation of the highway network or the other requirements of the policy. Because the reserve land *could* come forward within the plan period (subject to significant highway improvements), reference to it being 'safeguarded' needs to be amended, which implies that the site would only be released *beyond* 2032.
99. The intention of the West Stockton SUE is to provide a residential-led mixed-use development with new shops, services and facilities. To be effective the policy should set out what is required of developers and roughly where the primary school and community hub should be located. This provides certainty and reflects the work carried out in the masterplan, but still ensures sufficient flexibility. Likewise, Policy H2 and its supporting text needs to clarify that a range of house types and tenures will be expected, along with green infrastructure and a hierarchy of streets which provide linkages with the reserve land, neighbouring communities and to the Castle Eden Walkway.
100. Different landowners and developers have interests at West Stockton. To ensure that the allocation is planned and delivered in a coordinated manner, and that each phase remains viable, it is necessary to require an equal distribution of development across the Development Zones which were broadly set out as part of the masterplanning process. Although the zones do not reflect single ownerships, they are logical, clearly defined areas which decision-makers, developers and local communities can relate to. Based on the evidence provided the Council's suggested approach is necessary, and is the most appropriate strategy without competing land interests stifling development of a strategically important site. As discussed at the examination hearing sessions, requiring a design code and a phasing and delivery schedule for each development zone will help to achieve high quality design and ensure that proposals do not come forward in a piecemeal manner. Both are essential to ensure that the policy is effective in delivering a coherent, high quality urban extension to Stockton. The use of design codes is also consistent with paragraph 59 of the Framework.
101. For the same reasons, and to ensure the delivery of shared infrastructure, it is necessary to specify that one planning application will be expected per zone, unless it can be demonstrated that infrastructure can be delivered by an alternative means that would not prejudice the delivery of the SUE. In the early phases of development it might be necessary for some proposals to frontload the delivery of infrastructure to open the site up to development. In such circumstances the policy should make it clear that schemes should include a mechanism to ensure that each application has contributed

proportionately, as reflected in appeal decision APP/H0738/W/15/3063793. For clarity and effectiveness additional supporting text is also proposed, which confirms that contributions may need to be recouped from later phases where applications have frontloaded the provision of new infrastructure.

102. Following the appeal decision part of the site now benefits from planning permission. However, it is not necessary, in the interests of soundness, to refer to the land as one of the 're-affirmed commitments' under Policy H1(2). This is because it forms part of a strategic site allocated for residential-led mixed-use development. Should planning permission lapse, the principle of residential development is established by Policy H2.
103. Finally, other constraints include the proximity of the site to the Grade II listed Grassy Nook Farm. Due to the size of the allocation it should be feasible for development to preserve the setting of the farm as part of the final design and masterplanning process.

Wynyard Sustainable Settlement – Policy H3

104. As submitted it is not clear from Policy H3 how many additional dwellings are allocated and/or committed at Wynyard. It is also unclear what is required of proposals for new development. Modifications (in **MM22** and **MM23**) are necessary to rectify this and to ensure that the policy informs future development and provides a framework for decision-makers, developers and local communities to assess proposals against. The policy should also make clear the difference between Wynyard Village and Wynyard Park. Differentiating between the two areas makes it obvious to users of the plan without undermining the vision for a single community. Subject to the recommended MMs it will also be clear that the allocated site at Wynyard Park is for approximately 1,100 dwellings (consistent with other allocations).
105. One of the main aims of Policy H3 is to create a sustainable settlement by delivering a mix of uses, including new infrastructure. The requirement for development to provide, or contribute towards, a range of community services and facilities including new shops and education is therefore justified. The requirement to provide a shopping parade and primary school reflects approved plans for Wynyard Village.
106. Due to the different stages of development at Wynyard it is also necessary to ensure that new proposals come forward in a coordinated and comprehensive manner. To achieve this objective **MM22** amends Policy H3 to require a phasing and delivery schedule as part of a masterplan for the area. This will allow decision-makers to ensure that issues such as pedestrian connectivity, design and infrastructure provision are considered holistically.
107. As with the West Stockton SUE, further work has now been carried out on the necessary highway improvement works, which includes upgrades approved as part of the committed schemes.²⁵ To be effective amendments to Policy H3 are necessary to refer to the relevant schemes, which include signalisation of the roundabout junctions on the A689, widening and associated works to create a third lane at the junction of the A689 and the A19, and a

²⁵ Document EX/HS/8/5

pedestrian/cycleway connecting land north and south of the A689. The MMs are also necessary to make it clear which improvement schemes relate to Wynyard Village, and those required for land allocated at Wynyard Park. Subject to the identified improvements the scale of additional development can be accommodated without undermining the safe and efficient operation of the strategic highway network. Setting out the number of allocated dwellings also addresses previous concerns that the policy failed to identify the quantum of development.

108. Unlike the *Hartlepool Local Plan*, the MMs to Policy H3 do not include a specific trigger, above which the highway improvements must be delivered. Instead, the Policy states that the Council will work proactively with developers to identify and agree reasonable triggers which allow development to progress whilst mitigating impacts. It also requires the submission of an Infrastructure Phasing and Delivery Schedule, with the supporting text confirming that the Council will work with key stakeholders including Highways England and Hartlepool Borough Council. The Plan therefore achieves the same aims and objectives. It also requires the continued involvement of Highways England.

109. The proposed pedestrian and cycleway bridge over the A689 (referred to in Policy H3) has been met with local opposition, particularly regarding its appearance and cost. But one of the main concerns of the additional growth proposed at Wynyard is the need to create a sustainable settlement. Providing a pedestrian and cycle bridge link would therefore allow residents to safely cross the A689 and access services and facilities without having to rely on the use of a car. It would also benefit road safety by separating pedestrians and cyclists, including future school children, from the busy dual-carriageway. Subject to an appropriate design (which would be required by Policy SD8) there is nothing to suggest that a new bridge would be harmful to the character and appearance of the area. Along with the safeguarded route it is therefore justified, necessary, and with funding already secured, is deliverable within the plan period.

110. To date the majority of completed development at Wynyard Village has been low density, executive housing. To ensure that proposals promote or reinforce the locally distinctive pattern of development it is therefore appropriate to require schemes south of the A689 to reflect the layout and density of the area. Greater scope is provided at Wynyard Park for a range of house types to diversify the housing offer which will contribute towards the creation of a more balanced and mixed community. Requiring development to adhere to design codes will also ensure that design quality is achieved across the allocation. These additional measures are reflected in the changes in **MM22** and **MM23**.

111. Due to the relatively low density of development across the committed sites the Plan provides sufficient flexibility to cater for changing circumstances. Should further development be proposed, then sufficient scope exists to accommodate it without relying on land outside the limits to development, subject to meeting other policy requirements such as the need for a phasing and delivery schedule as a part of a masterplan for the area.

Conclusion

112. Subject to the recommended MMs I therefore conclude that the housing allocations are justified, viable and capable of being developed over the plan period.

Issue 4 – Whether there is a reasonable prospect of a five-year supply of deliverable housing sites on adoption, and whether the policies and allocations in the Plan will ensure that the housing requirement is met

Five-Year Housing Land Supply

Requirement

113. Paragraph 47 of the Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their requirements, with an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery the buffer should be increased to 20%.

114. In 2007/08 net housing delivery peaked at 1,141 dwellings. Since then delivery has been significantly lower. The Core Strategy housing requirement has only been met in 3 of the reporting years. This represents a record of persistent under-delivery. At this moment in time a 20% buffer applies.

115. By consistently delivering below the Core Strategy housing requirement a shortfall accrued over the last plan period. Nevertheless, any under supply should have been accounted for in the assessment of the OAN – for example in the upward adjustments for concealed households. The Core Strategy housing requirement is also based upon figures from the (now abolished) *North East of England Regional Spatial Strategy*. The regional housing figures have been superseded by new information, namely the Government's household projections, which is the starting point for assessing housing needs.

116. Taking into account delivery in the first year of the plan period (2017/18) the five-year housing requirement is therefore **4,182**, including a 20% buffer, as set out in Document EX/SBC/23.

Supply

117. In summary, sites sufficient to provide **4,515** dwellings between 2018/19 and 2022/23 have been identified. Of this total, 3,744 dwellings are expected to come forward from sites with planning permission, 699 from allocations, 78 from small sites of less than 5 dwellings and 71 dwellings from windfall sites. An allowance of 77 units lost through demolitions has also been accounted for.

118. In considering deliverability the Council has used bespoke lead-in times and delivery rates based on available information for each site. This is evidenced in the trajectory in Document EX/SBC/23, and updated in EX/SBC/31a.

119. Where phasing information has been provided by developers it has been used unless there are reasons to suggest that the figures are too optimistic, or pessimistic. The Council has also taken into account past delivery where sites

are ongoing, constraints such as highways infrastructure and the size of a site, including the number of housebuilders on site together. Where no delivery information is available the Council has generally used a lead-in time of 2 years following the approval of full planning permission or the last reserved matter, with a standard delivery of 30 dpa. An implementation rate of 80% has also been applied to small sites of less than 5 dwellings. Although this will not be the case for every site, the assumptions are reasonable.

120. To reflect the difficulties of bringing forward previously developed land (compared to greenfield sites) none of the allocated sites in the Regenerated River Tees Corridor have been identified as starting within the first five years. The exception are Victoria Estate (Site 3.3) which has been cleared with a planning application expected in early 2019, and Queens Park North (Site 3.4) where development has already commenced on part of the site.
121. At West Stockton the Council has included relatively generous rates of delivery with completions expected by 2019/20. Due to its size and complexity it is highly likely that the SUE will take longer to come forward than other, smaller sites. That being the case, planning permission is now in place for part of the SUE with a planning application for additional development before the Council. None of the participants at the examination hearing sessions provided any evidence of site specific constraints or infrastructure requirements that would prevent or very seriously delay the scheme. A similar position exists at Wynyard, where national housebuilders are actively bringing sites forward.
122. In addition, there may be instances where sites identified later in the trajectory come forward sooner than expected. For example, land at Grangefield Road (Site 3.6) was expected to come forward beyond the five year period, but the Council is currently considering an outline planning application which is expected to be determined in the near future. Land at Hunter's Rest Farm also has outline planning permission. Even accounting for reserved matters applications, it is reasonable to assume that some housing could be delivered within the first five years. Elsewhere the previously allocated site 3.8 (South of Junction Road) now has full planning permission.
123. The Framework also states that local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that sites have consistently become available. The Council's Matter 10 Statement²⁶ confirms that excluding developments in gardens and replacement dwellings, on average 23 dpa have been delivered from small windfall sites. The total windfall allowance of 71 dwellings over five years is therefore reasonable and is based on appropriate evidence.

Conclusions on five-year housing land supply

124. The Council's latest trajectory identifies land sufficient for **4,515** (net) dwellings from 2018/19 to 2022/23. The deliverable supply would therefore exceed the five-year housing requirement of **4,182**. Although the buffer is relatively small, I am mindful that other sites have come forward during the examination process and could deliver additional dwellings in the first five years. Thus, even in the event that development at West Stockton is slower

²⁶ Document EX/HS/10/10

than expected, there is a good prospect that there will be an up-to-date supply of specific deliverable sites sufficient to provide five years' worth of housing land upon adoption.

Overall Supply

Will the housing requirement be met?

125. Figure 1 in Document EX/SBC/31 illustrates a total housing supply of **11,872** dwellings over the plan period. The total supply therefore exceeds the housing requirement of **10,150** dwellings by around 17%. In this regard the Plan is consistent with paragraphs 47-49 of the Framework which seek to boost significantly the supply of housing. It makes appropriate provision to ensure that the housing requirement will be met in full. To ensure that the Plan is up-to-date on adoption **MM19** updates Figure 9 to set out the latest trajectory on the sources of supply.

126. The majority of newly allocated housing is expected to be delivered between 2022/23 and 2026/27. This coincides with the expected peak delivery on sites such as the West Stockton SUE, Little Maltby Farm, Grangefield Road and Wynyard. Given the time it takes to build-out large sites with significant new infrastructure requirements delivery is also expected to continue beyond 2027. The Plan therefore identifies sites for years 6-10 and broad locations for growth in years 11-15. It makes adequate provision, through identifying a range of different sites, to ensure that there is a reasonable prospect of maintaining a rolling five-year supply.

Flexibility

127. Policy SD3 states that the housing requirement will be met through the maintenance of a rolling five year supply. But it does not provide any clarity on how this will be provided. **MM05** is therefore necessary to confirm that the Council will take appropriate action should it become apparent that a five year supply cannot be identified, or that delivery is consistently falling below the housing requirement. In order to be effective **MM06** is also required to set out what the necessary action will entail. The modifications will not result in the expansion of strategic sites without prior consultation and/or attention to material planning considerations.

128. It has been suggested that the change does not go far enough, and that like the *Scarborough Local Plan* the mechanism should allow sites on the edges of settlements to be considered. However, this was deemed necessary by the Scarborough Local Plan Inspector because nearly 3,000 dwellings on allocated sites are not expected to come forward until after 2021 and *"...many of these are dependent on the large sites at Middle Deepdale and the South of Cayton Strategic Growth Area progressing as expected."* The circumstances in Stockton-on-Tees are materially different. The Plan only includes two strategic sites, both of which have been ongoing for a number of years and are relatively well-progressed. No major issues regarding their deliverability have been raised by any of the land owners or developers involved in the sites.

129. Furthermore, the Stockton Local Plan identifies a total supply of around 11,800 dwellings, including a buffer of almost 17% above the housing requirement. Sufficient flexibility has therefore been included to ensure that housing needs

will be met. It will also be necessary for the Council to undertake an assessment of whether the Plan remains up-to-date within five years from adoption. In the event that larger sites do not come forward as expected, then the Council will be able to review its position and act accordingly.

Issue 5 - Whether the Plan identifies the correct level of affordable housing need and makes appropriate provision to meet it

130. The *Local Plan Addendum* includes a definition of affordable housing taken from the Framework. For the purpose of this examination it is therefore consistent with national planning policy. However, it should be made clear that the definition is taken from the 2012 Framework. **(MM59)**

131. In the interests of effectiveness it is also necessary to remove references to 'Government expectations' in Policy H4 and the 'Government's stated intention' in the supporting text. Both are unclear and fail to reflect national planning policy at the time of the examination. **(MM24 and MM25)**

Need for Affordable Housing

132. The SHMA identifies an affordable housing need of **3,635** dwellings over the plan period, or 240 dpa. The highest priority is for 2 and 3 bedroom houses. For clarity and effectiveness this should be set out in the supporting text to Policy H4, which is the relevant policy on affordable housing. **(MM25)**

Thresholds for Affordable Housing

133. Policy H4 requires developments of over 10 dwellings, or with a combined gross floorspace of over 1,000 square metres, to provide 20% affordable housing. In comparison, the Council's Matter 3 statement shows that over the past 7 years affordable housing has accounted for around 22% of the total supply. Based on past performance the threshold is therefore realistic and achievable. For the purpose of this examination it is also consistent with national policy as expressed in the Written Ministerial Statement ('WMS') on *Small-scale Developers* and with the PPG.²⁷ Both state that affordable housing should not be sought on sites of 10 units or less.

134. The use of a 20% threshold is supported by the *Whole Plan Viability Assessment*²⁸ ('WPVA'). Although some appraisals show that certain residential developments in the higher value areas of the borough would still be viable at 25%, this relates to specific sub-areas. The report also advises caution against pursuing a higher target which may be more difficult to achieve. Even where 25% was possible in high value areas of the borough, evidence provided by the Council demonstrates that it would make very little difference in delivering more affordable housing over the plan period due to the number of sites which already have planning permission.²⁹

135. In the low value area the WPVA suggests that the redevelopment of previously developed land would be unviable due to a combination of higher costs and

²⁷ WMS of 28 November 2014 and PPG ID: 23b-031-20161116

²⁸ Document SBC06/17

²⁹ Document EX/SBC/32

lower sales values. However, sites are still coming forward in and around the regenerated River Tees Corridor which include affordable housing. When considering the overall need for affordable housing, and the flexibility in Policy H4 to account for site specific circumstances, the use of a 20% requirement across the borough is justified.

Provision of Affordable Housing

136. By requiring affordable housing to be provided on site as part of, and integrated into developments, Policy H4(4) is consistent with national planning policy which seeks to create balanced and mixed communities. There may also be instances where off-site provision would be more appropriate. Changes to the wording of criterion (d) are necessary to reflect this, rather than referring to instances where the Council 'considers' off-site provision to be 'preferable', which is ambiguous and lacks sufficient clarity. **(MM24)**
137. Seeking off-site contributions towards affordable housing could be justified where executive housing is proposed, but only where proposals would have wider sustainability benefits and would contribute towards inclusive and mixed communities. For example, where executive housing aims to rebalance the local housing stock or deliver wider regeneration benefits. **MM24** is therefore necessary to make this clear and ensure that the policy is effective.
138. As submitted Policy H4 also refers to instances where affordable housing is 'not in accordance' with the threshold of 20%. To be effective **MM24** is necessary to provide further detail, and confirm that a viability assessment will be required to demonstrate the maximum level of affordable housing that a scheme can provide without becoming unviable.

Will the Local Plan meet the need for affordable housing?

139. The Council estimates that 1,450-1,900 affordable homes could be delivered over the plan period. Based on these projections the Plan will not meet the full identified need for affordable housing.
140. In response the supporting text to Policy H4 states that the Council is "*actively exploring ways in which to promote its delivery...*". Without setting out any actions the statement is unclear. Additions to the supporting text for Policy H4 in **MM25** are therefore necessary to confirm what measures the Council will take in promoting affordable delivery.
141. Where it could help deliver the required number of affordable homes the PPG states that increasing the housing requirement should be considered.³⁰ However, taking into account the viability threshold at or around 20%, a significant increase in housing would be required to deliver any meaningful upturn in affordable housing delivery. Based on the WPVA, and the highways limitations at West Stockton and Wynyard, it is also likely that the majority of additional housing would have to be delivered in the countryside beyond the Conurbation. This could result in unsustainable patterns of development with a reliance on further extensions to settlements or additional growth in villages. It would also undermine the vision for the Plan which seeks to deliver new

³⁰ Paragraph: 029 Reference ID: 2a-029-20140306

housing in sustainable locations, in particular through the regeneration of the River Tees Corridor and the creation of a sustainable settlement at Wynyard. When also considering that the housing requirement is already significantly higher than the demographic starting point, an additional uplift would therefore not be appropriate or justified for Stockton-on-Tees.

Conclusion

142. Subject to the recommended MMs I therefore conclude that the Plan identifies the correct level of affordable housing need and makes appropriate provision towards meeting it.

Issue 6 – Whether policies relating to the type, tenure and mix of housing are justified and consistent with national policy

143. Policy H4 is unclear in its requirement for new homes to meet the 'aspirations' of communities. In order to be effective amendments to Policy H4 and its supporting text in **MM24** and **MM25** are necessary to confirm that a mix of appropriate sizes, types and tenures should be provided which reflects local needs having regard to the SHMA, its successor or other appropriate local evidence.

144. Including a breakdown of the current requirements in the supporting text provides a useful benchmark to decision-makers, developers and local communities. The policy also makes it clear that there may be other sources of more appropriate evidence. The modified policy and supporting text provide flexibility should new evidence emerge, but also gives certainty to applicants for planning permission.

145. Subject to the removal of land at Boathouse Lane (Site 3.1) the table in Policy H4 only refers to 3 sites and states that a 'full range of house types' will be required. This is slightly confusing as it suggests that a different approach will be required on other allocations, which is not the case. The requirements for the West Stockton SUE and Wynyard Sustainable Settlement are also set out in Policies H2 and H3 (as modified). The table under criterion (13) should therefore be deleted by **MM24**.

Custom and Self-Build

146. At the time of examination the Council's custom and self-build register had 17 individuals, with the first entry added to the register in 2016. Through re-affirmed commitments at Betty's Close Farm (Site 2.IB6) and Lowfield (Site 2.IB7) the Plan identifies sites sufficient to provide approximately 80 custom and self-build dwellings. The identified need will therefore be met.

147. Policy H4(9) also states that the Council will regularly monitor demand and encourage applicants to include self-build plots within larger housing schemes. In addition, Policy H4(1) requires developers to provide a mix of house types, sizes and tenures to meet identified needs in the SHMA. Should further needs arise then the Plan includes a positively worded policy framework to support future custom and self-build housing where necessary.

Student Accommodation

148. The in-principle support for additional student accommodation in Policy H4(10) is justified, as is the need for accommodation to be adaptable to allow for potential future re-use. However, the requirement for proposals to be compatible with 'wider social and economic regeneration objectives' is unclear, especially as the objectives are not defined in the Plan. **MM24** is therefore necessary for clarity and effectiveness to confirm that student accommodation will be supported where it contributes to the regeneration of the River Tees Corridor.
149. Because proposals may come forward in other locations it is also necessary to ensure that schemes do not harm the character and appearance of residential areas, do not harm the living conditions of neighbouring residents and provide an adequate standard of living accommodation for potential future occupants. The modification to criterion (10) of Policy H4 in **MM24** ensures that proposals for student accommodation are considered in the same way as other applications for residential development.

Older People's Needs

150. Policy H4(6) supports specialist housing, including extra care developments, to meet identified needs for older person's accommodation. In addition, criterion (7) allows extensions to dwellings to provide space for dependent relatives. I am also mindful that land at Mount Leven (Site 2.Y4) is identified in the Plan specifically for housing to meet the needs of the ageing population. In this regard the Plan is consistent with paragraph 50 of the Framework which states that local planning authorities should plan for a mix of housing based on current and future demographic trends, including older people.

Accessible and Adaptable Dwellings

151. The PPG advises that local planning authorities may set higher accessibility, adaptability and wheelchair housing standards where there is evidence of a need for additional standards. In doing so, it requires authorities to have a clear understanding of housing needs in their area and recognise that there are a wide range of factors which can be taken into account. This includes the size, location, type and quality of dwellings required, the accessibility and adaptability of the existing housing stock, an understanding of how needs vary across different tenures and the impact on viability.
152. Document EX/SBC/34 estimates that by 2032 some 12,836 households are likely to experience problems, or are likely to develop problems which affect their housing needs within 10 years. This compares to 8,690 households where a limiting long-term illness or disability affected their housing need in 2017. Whilst the assessment includes households likely to develop problems affecting their housing need beyond 2032, it is reasonable for housing built towards the end of the plan to reflect the forward projected increase in needs for adaptable housing.
153. Not all of the projected need will result in a requirement for adaptable new dwellings. Some occupiers may want to adapt their own home, and some will move to another dwelling in the existing stock which may be more suitable.

154. The Council's methodology has therefore assessed the potential for the existing housing stock to be adapted. Based on the mix of housing in the Stockton-on-Tees Borough, Document EX/SBC/34 suggests that around 61% of dwellings could be converted to meet Building Regulation M4(1) standards, whilst the proportion that could be converted to meet the M4(2) standard would be lower. On this basis it assumes that around 39% of dwellings could not be converted at all. As a consequence, the evidence suggests that at least 39% of the additional households where illness or disability affects their housing need would have to move to new housing. Including the 770 households identified at the start of the plan period amounts to 5,766. As a percentage of the housing requirement the figure is around 57%.
155. An alternative approach would be to use evidence in the SHMA, which includes the results from a household survey. It found that of the households where a health issue affected their housing needs only 13% considered their current home unsuitable for adaptation. It has therefore been suggested that 13% should be used as a proportion of future needs that will require adaptable dwellings. However, the results are only based on a sample size of 163 respondents. It also fails to take into account newly arising needs that will occur over the plan period. Given the demographic profile of the borough and the expected increase in older people, the assumptions in Document EX/SBC/34 are reasonable. It is the most accurate assessment of likely future needs that has been provided.
156. Document EX/SBC/34 also considers the need for wheelchair user housing. It estimates that the net change in the number of households with a wheelchair user is likely to increase by around 770 over the plan period, or roughly 8% of the housing requirement. To avoid double counting the requirement for M4(3) housing should be deducted from the figure of approximately 57%.
157. In summary therefore, due to the expected increase in the number of households where a limiting long-term illness or disability is likely to affect housing need, and the adaptability of the existing stock, it is necessary for a proportion of new housing to meet the higher accessibility, adaptability and wheelchair housing standards. Providing more accessible homes will ensure that the housing stock is more easily adaptable, and will help people to maintain their independence for longer.
158. However, to reflect the latest evidence **MM24** and **MM25** are necessary to amend Policy H4(8) by requiring 50% of new housing to meet Building Regulation M4(2) standards, and 8% to meet M4(3) standards. For consistency with the PPG it is also necessary to make the distinction between wheelchair accessible dwellings (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable dwellings (a home that can be easily adapted to meet the needs of a household including wheelchair users). The requirement for wheelchair accessible homes should only apply where the Council is responsible for allocating or nominating a person to live in that dwelling.
159. For effectiveness **MM24** and **MM25** are also necessary to confirm that in applying the standards, decision-makers must take into account site suitability and the feasibility of meeting the standards, having regard to the size, location

and type of dwellings proposed. For example, where step-free access is not possible, the PPG advises that optional requirements should not be applied.

160. The WPVA has considered the additional cost implications of meeting Building Regulation M4(2) and M4(3) standards. Policy costs have been appraised individually and cumulatively. In summary, it concludes that residential development will not be put at serious risk by the cumulative impact of the policies. In the higher value area most of the greenfield sites also have generous viability buffers. For brownfield sites in the lower value areas the WPVA recommends that the Council continues to engage with landowners to bring sites forward. This is reflected in Policy H4 which confirms that the standards will be subject to site viability.
161. As submitted Policy H4 also requires all specialist housing for older people to meet Building Regulation M4(3) standards. However, the WPVA indicates that extra care housing is unviable even with no affordable housing costs. In addition, it is unclear from the evidence what the correlation is between setting higher standards for specialist housing for older people, and the need for other types of residential development. As set out in Document EX/SBC/34, setting higher standards for specialist housing could reduce the proportion of general housing that would need to meet M4(3) standards. In the absence of any further information, and considering the identified viability issues, setting an additional rate for specialist housing is unjustified at this moment in time and accordingly is deleted by **MM24** and **MM25**.

Conclusion

162. Subject to the recommended MMs I therefore conclude that Policy H4 is justified and consistent with the Framework which requires local planning authorities to plan for a mix of housing based on current and future demographic trends, including older people, people with disabilities and people wishing to build their own homes. It will ensure that the type and mix of housing will contribute towards meeting identified needs.

Issue 7 – Whether the Plan makes adequate provision to meet the needs of gypsies and travellers and travelling showpeople

163. The *Stockton-on-Tees Gypsy and Traveller Accommodation Assessment* ('GTAA') forms part of the SHMA. Published in 2016 it takes into account the updated definition of gypsies and travellers and travelling showpeople in the Planning Policy for Traveller Sites. In summary, it identifies a need for 4 additional pitches for travelling households. A need for 2 pitches was also identified to account for households where it was not possible to determine their travelling status, but no requirement was identified for travelling showpeople or for a transit site.
164. In seeking to meet the identified need the GTAA concludes that there are 12 vacant pitches across the borough, including 7 pitches on the Council-owned site at Mount Pleasant Grange. The Council also confirms³¹ that resources have been committed to carry out repair works at the site. The evidence therefore suggests that future arising needs can be met through the existing

³¹ Document EX/HS/5/1

site, which is appropriate and justified. However, in order to be effective the policy should be reworded to refer to the site by name and ensure that it remains available for gypsies and travellers. (**MM02**, **MM26** and **MM27**).

165. Where proposals cannot be accommodated on the Council-owned site Policy H5 allows new development subject to meeting criteria a)–d). In this regard the policy is broadly consistent with the strategy for other types of housing, such as complying with design principles. For effectiveness and consistency with national planning policy it is also necessary to specify that proposals are accessible and provide a good standard of living accommodation for existing and future occupants.

166. Subject to the recommended MMs I therefore conclude that the Plan makes adequate provision to meet the needs of gypsies and travellers and travelling showpeople.

Issue 8 – Whether the strategy for job growth and employment, and the allocations and policies concerning employment sites and the rural economy are positively prepared, justified, effective and consistent with national planning policy

Employment Land Requirement – Policy SD2

167. The ELR includes a baseline forecast of employment growth from 2017-2032. The forecasts are not constrained by land supply or local policies and predict an overall increase of 4,700 (net) new jobs, or around 315 jobs per year. It compares to an average increase of 460 jobs per year from 1997-2016.

168. Across the Stockton-on-Tees Borough, as with other areas in the Tees Valley, specialist use sectors form a key part of the economy. Industries include processing, offshore and port activities, waste and airport related uses. The ELR therefore considers 'general employment' separately from 'specialist employment', which is carried forward into Policy SD2.

General Employment Land

169. The baseline forecast indicates a reduction of around 990 'B' Use Class jobs over the plan period, predominantly from a declining manufacturing sector. The labour supply scenario also estimates that less employment floorspace will be needed at the end of the plan period than the start, primarily due to the contracting demand for manufacturing.

170. However, 114.52 hectares of land was developed for general 'B' Use Classes between 2000 and 2016, or 7.16 hectares per year. Despite job losses in previous years, past take-up of employment land has therefore remained strong, especially in manufacturing. The increased GVA generated by manufacturing is also expected to be around £9m from 2017-2032. Although relatively low (around 2% before inflation), it points to the output of the manufacturing sector remaining positive. The ELR therefore concludes that the decline in manufacturing is unlikely to result in a corresponding reduction in the demand for floorspace.

171. To allow for delays in sites coming forward, uncertainties in forecasting and to ensure a reasonable choice in the market for land, a buffer equivalent to two

years' worth of supply has been applied. The ELR has also made an allowance for the replacement of losses. When applying the necessary uplifts, and translating gross floorspace requirements into an estimated land requirement, the ELR concludes that 69.2 hectares would be required under the labour supply scenario, 74.1 hectares using the baseline growth scenario and 81.6 hectares based on net past take-up. If an assessment of *gross* take-up is used then around **108 hectares** of general employment land is required.

172. In response Policy SD2 identifies a need for **110 hectares** of land. The figure therefore broadly reflects the ELR and is justified based on projecting forward the gross take-up of general employment land between 2000 and 2016.

Specialist Employment Land

173. Predicting demand for specialist uses is more complex because there are no employment densities given for some of the specialist process industries and port-related activities around the River Tees. Specialist industries also require large areas of land with low levels of employment, such as riverside industries which require extensive areas of loading and storage space. This limits the ability to precisely translate employment change by sector into a land requirement. An assessment of past take-up is therefore more accurate.

174. Past take-up of land for specialist developments over the same period was 166.34 hectares, or 10.40 per year. Excluding the landfill site at North Tees Pools would reduce the annual take-up rate to around 4 hectares. However, post-recession take-up indicates strong demand, with an average of 7.50 hectares delivered from 2008 to 2016. The ELR therefore recommends a need for between **60.75** and **112.5 hectares** of land. Including 'safety margin' Policy SD2 identifies a need for **120 hectares** of land for specialist uses. This is justified based on the evidence in the ELR.

Airport Related Uses

175. Take-up of land at Durham Tees Valley Airport ('DTVA') is inherently difficult to predict as no employment land was developed between 2000 and 2016. However, land to the south of the runway, falling within Stockton-on-Tees, benefits from extant planning permission for freight handling, distribution and packaging and light industrial/commercial development. It reflects the long-standing aspiration to encourage the growth of passenger and freight services to connect the region to international markets. The area of land to the south of the runway is also identified for employment uses in the DTVA Masterplan.

176. Promoting a sustainable airport is critical to maintaining international connectivity and supporting the economic growth opportunities which can be achieved at the airport. Although a new road would be required, the Southside development provides relatively unconstrained access to the runway which can be developed for a range of airport-related uses with good connectivity to the wider area by road and rail.

177. Allocating **70 hectares** of land for employment purposes at the airport, which reflects the extant planning permission, is therefore justified in order to promote new inward investment and secure its sustainable long-term future. In this regard Policies SD2 and SD4 are consistent with paragraph 33 of the Framework which states that when planning for ports, airports and airfields,

plans should take account of their growth and role in serving business, leisure, training and emergency service needs. The identification of the Southside proposals have also been developed in conjunction with Darlington Borough Council, as set out in the Statement of Common Ground.³²

Supply

General Employment Sites – Policy EG1

178. Referring to the list of sites under Policy EG1 as 'Strategic Growth Sites' is misleading as it does not correspond to the evidence base, the policies map or Policy SD2. The sites should therefore be referred to as 'General Employment Sites', which more accurately reflects their role and function. For effectiveness the policy should also set out what uses are permitted, reflect the latest position regarding Enterprise Zones and confirm that the 20 hectares at DTVA is for general employment uses to ensure consistency with Policy EG5. **MM28** contains the necessary changes to reflect this. Consequential changes are required to the supporting text by **MM28a**.
179. At Wynyard land adjacent to the A689 is allocated for a mix of B1, B2 and B8 uses. The allocation reflects the existing planning permissions and the role function of the business park as a high-quality strategic investment location. Beyond the business park is an area of 'safeguarded' employment land. The ELR recommends safeguarding the site because it is undulating agricultural land with no infrastructure to create development plots. But it still forms part of the Wynyard settlement and is within the limits to development. The ELR also confirms that Wynyard is an important, *"high quality business park in a location of relatively strong market demand..."*. In addition, planning permissions are already in place for the safeguarded land and have been implemented at the site entrance. For these reasons, and in order to plan positively to support sustainable economic growth, the area of safeguarded land should form part of the allocation in Policy EG1. (**MM28** and **MM57**)
180. The implication of this modification is that the Plan will allocate approximately **170 hectares** of general employment land. Although this would be in excess of the requirement for 110 hectares in Policy SD2, there are several reasons that justify the approach taken. Firstly, the Council has already sought to rationalise its supply by de-allocating existing employment land. The retained sites are intended to offer a broad range of opportunities across the borough to ensure that new business growth is not constrained by supply. It also reflects sites which already have planning permission for employment uses.
181. Furthermore, whilst there is a good quantitative supply of sites, the ELR has identified qualitative issues, with a restricted choice of good quality units in excess of 2,000 square metres. Stakeholder consultation has also found that there is a need for research and development and laboratory space to capitalise on the growth potential in life sciences and biotech sectors, and for office premises of over 2,000 square metres. The need to replace floorspace lost to other uses could therefore be higher than the 66% assumed in the ELR.

³² Document EX/SBC/18

182. The Council's Matter 17³³ Hearing Statement also demonstrates how the majority of available plots allocated under Policy EG1 are less than 2.5 hectares. Because these sites are surrounded by existing industrial occupiers it would not be appropriate to de-allocate such small parcels of land for alternative uses. Equally, allocating only small sites would not provide a diverse portfolio, or attract larger employers to the area.
183. In summary therefore, the allocation of sites under Policy EG1 is justified and will provide an appropriate mix and range of sites to meet the need for general employment land over the plan period. Given the substantial amount of land identified there is, quite reasonably, no need for the Council to allocate any further sites or identify employment 'commitments'. The non-allocation of a site does not preclude it from coming forward where planning permission has been granted.

Specialist Employment Sites – Policy EG4

184. Policy EG4 allocates around **235 hectares** of land for specialist uses at Seal Sands, North Tees and Billingham. Proposals for port and river based uses are directed to 38 hectares of land available at Billingham Riverside.
185. The amount of land allocated for specialist uses is significantly more than the need set out in Policy SD2 and the ELR. However, there are also sound planning reasons for this. Firstly, the land requirements for specialist uses are significant. To retain a sufficient supply of large plots therefore requires a substantial land-take. Secondly, specialist uses are restricted by their operational needs, with port and processing industries requiring an extensive river frontage. Thirdly, given the historic uses of areas such as Seal Sands it is highly unlikely that any alternative uses will be appropriate. The amount of land identified is therefore justified, and provides a positive policy framework to support the continued growth of specialist industries which are critical to the local economy.
186. As submitted Policy EG4(4) permits alternative uses at Billingham Riverside. To be clear to decision-makers, developers and local communities **MM32** is necessary to specify that this relates to alternative *employment* uses. For the same reasons criterion a.) should confirm that proposals should be linked to existing, committed and planned investment in the area. It is also necessary to delete c.) which is ambiguous in its requirement that proposals for planning permission must be 'essential for sustainable development'.
187. Land at Billingham Riverside contains allocated sites which fall within Flood Zones 2 and 3a. The proposed water compatible uses (such as docks) and less vulnerable uses (such as general industrial/storage and distribution) are appropriate in this location as defined by the PPG.³⁴
188. Essential infrastructure (such as transport and utilities) would be subject to the Exception Test. Although the details of potential developments are unknown (all of the sites could come forward for port and distribution uses)

³³ Document EX/HS/17/8

³⁴ Paragraph: 066 Reference ID: 7-066-20140306 and Table 3

the SFRA³⁵ conclude that the Exception Test would be passed by raising ground within the tidally influenced area. This, or other appropriate mitigation measures could be secured as part of a site specific FRA at the planning application stage. **MM32** is therefore required to specify that essential infrastructure should be directed to areas at the least risk of flooding in the first instance, but, where specific requirements necessitate a location in Flood Zone 3a, that a site specific FRA will be required to demonstrate how the site will be designed and constructed to remain operational and safe at all times.

189. At Seal Sands and North Tees the proposed allocations are on higher ground and therefore are not at risk of flooding. The exceptions are the primary access routes (along the A1185 and the A178) which could become blocked by standing water in the event of tidal flooding. **MM32** is therefore necessary to require proposals for new development to consider emergency access/egress. In the interests of effectiveness consequential changes are also required to the supporting text by **MM33**.

Durham Tees Valley Airport – Policy EG5

190. Although development has not yet started at DTVA, representations suggest that the airport has received enquiries for large-scale proposals, including from a global logistics company. I am also mindful that a revised access was identified as part of the 2014 masterplan, with planning permission granted for the route in 2015 and 2018. The revised scheme, which is proposed to loop around the eastern edge of the runway, negates the need for a second access and will help to bring the site forward. As a result, although the allocation is unlikely to be realised in the short-term future, there is nothing to suggest that development cannot commence within the plan period.
191. The Plan allocates 50 hectares of employment land for airport related uses in addition to 20 hectares of 'general employment' land. The proposed split reflects the existing planning permission at the airport. It also ensures that the airport is recognised as an important economic driver whilst protecting more sustainable business locations in the Conurbation with better access to the strategic road network, other industries and the majority of the workforce. The proposed split is therefore justified, however, modifications are necessary to Policy EG1 and its supporting text to make it clear that the 20 hectares is for unrestricted general employment uses, including large-scale opportunities and logistics. (**MM28, MM28a and MM35**)
192. As submitted Policy EG5 allows other uses to come forward at DTVA where the *"...existing land, buildings and facilities are not suitable for the development"*. This is contrary to the masterplan which has already established that land to the south of the runway *is* suitable for employment development. For clarity the modifications to Policy EG5 are necessary to refer to the tests set out in Policy EG1.3 relating to the reuse of employment sites (**MM34**). It is also important that the Plan does not permit alternative uses to the south of the runway that would prejudice the continued operation of the airport, and therefore its ability to act as a driver for economic growth across the Tees

³⁵ Documents EX/SBC/13, EX/SBC/13a, EX/SBC/14 and EX/SBC/15

Valley. **MM34** amends criterion c.) of Policy EG5 to ensure this safeguard is in place.

193. In January 2018 the Tees Valley Nature Partnership recommended inclusion of a new Local Wildlife Site ('LWS') at the airport as the criteria for designation had been met. The Statement of Common Ground with Darlington Borough Council concludes that it is not necessary to include the LWS on the policies map, but both Local Plans should include a policy requiring the active management and maintenance of land adjacent to the runway.

194. Although MM34 was consulted upon as part of the changes to Policy EG5, the additional criterion is not necessary in the interests of soundness. Firstly, the land adjacent to the runway will continue to be managed as part of the Civil Aviation Authority requirements, as it has been done previously. Secondly, the criterion does not require anything of proposals for new development. Paragraph 154 of the Framework states that only policies which provide a clear indication of how a decision-maker should react to a development proposal should be included in a local plan. Requiring maintenance of the land as part of the Plan is therefore unnecessary and I have removed the wording from the schedule in Appendix 1.

Re-use of Employment Land and Buildings – Policy EG1

195. Policy EG1 as submitted seeks to protect employment sites and premises from alternative uses where they are 'attractive to the market'. However, this is ambiguous and gives no certainty to decision-makers, developers or local communities. It could also result in the long term protection of sites allocated for employment uses where there is no reasonable prospect of a site being used for that purpose, contrary to paragraph 22 of the Framework. **MM28** and **MM28a** are therefore necessary to set out clear criteria against which proposals for alternative uses can be assessed.

196. Policy EG1 also fails to provide a clear policy framework for non-allocated and vacant sites, some of which could make an important contribution to the local economy, such as sites on established industrial estates. The changes set out in MM28 and MM28a will therefore also ensure that Policy EG1 and its supporting text apply to land and buildings last used for employment.

The Rural Economy – Policies EG7 and EG8

197. The scope of Policy EG7 is intended to be wider than just farm diversification schemes and support proposals which contribute to the rural economy. MMs are therefore necessary to ensure that it promotes the sustainable growth and expansion of rural businesses, including rural leisure and tourism developments (**MM38** and **MM39**). Subject to the modifications the policy will be consistent with paragraph 28 of the Framework which states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To ensure that the Plan is effective **MM38** also clarifies that the loss of community facilities in rural areas should be assessed against Policy TI2.

198. The requirement for farm shops to be small-scale, ancillary enterprises is justified to ensure that retail uses do not undermine the vitality and viability of nearby centres. However, requiring a proposal to avoid harm to a specific

shop is not consistent with the Framework, which refers to centres. Specifying that 75% of goods are produced on site is also unnecessary provided that no harm would be caused to the vitality or viability of a nearby centre. Both should therefore be modified by **MM38**.

199. Finally, Policy EG8 only supports dwellings for agricultural or forestry workers. To ensure consistency with paragraph 55 of the Framework it should be wider in scope and relate to the essential need for other rural workers to live permanently at or near their place of work (**MM40**). In the interests of effectiveness and clarity, the policy and its supporting text should also specify requirements for the removal of conditions restricting the use of rural workers dwellings'. (**MM40** and **MM41**)

Conclusion

200. Subject to the recommended MMs I therefore conclude that the strategy for job growth and employment, and the allocations and policies concerning employment sites and the rural economy are positively prepared, justified, effective and consistent with national planning policy.

Issue 9 – The effect of the Plan's policies and allocations on the Teesmouth and Cleveland Coast SPA and Ramsar Site

201. The Teesmouth and Cleveland Coast Special Protection Area ('SPA') and Ramsar site is designated as a wetland area of international importance. It consists of intertidal sand and mudflats, rocky shores, sand dunes, saltmarsh and freshwater marsh used by birds for breeding, feeding and roosting. Amongst others this includes the little tern, sandwich tern and the common redshank.

202. During the course of the examination Natural England formally initiated a public consultation on a proposed extension to the Teesmouth and Cleveland Coast SPA and Ramsar Site. Paragraph 118 of the Framework confirms that proposed Ramsar sites should be given the same protection as European sites, including potential SPAs. The Council has therefore carried out a further *Habitat Regulations Assessment* ('HRA'), including Appropriate Assessment.³⁶

203. The updated HRA states that 6km is the threshold beyond which recreational disturbance from visitors is unlikely to have a significant impact on the SPA. Although some allocations are within 6km, much of the SPA, and the proposed SPA, are either inaccessible or undesirable for walking or cycling due to the presence of heavy industry and port/processing operations. The two sites that attract the most recreational users are Redcar Rocks and North Gare. Both are over 12km away from the centre of Stockton. An assessment carried out by Natural England has also found that public access along the England Coast Path National Trail between Newport Bridge and North Gare is unlikely to have any significant effect on the SPA.

204. The nearest housing allocation is Site 3.10 (former Billingham School Campus) which is now less than 2km away from the proposed SPA at Seaton Carew Road. However, the RSPB's Saltholme Nature Reserve is already well

³⁶ Document EX/SBC/38

equipped for visitors and is actively managed, with a visitor centre and cycle path. Access to the remainder of the proposed SPA is restricted beyond the A1185. As a result, residential development of the site is unlikely to give rise to either direct or cumulative adverse impacts from recreational disturbance.

205. Elsewhere the Tees Marshalling Yard is now within 200m of the proposed SPA at The Tees Barrage and is adjacent to the canal section that flows into the river. But no works are proposed to the river corridor. Minor changes could also be made to the boundary of the regeneration opportunity site, as illustrated by the Council's policies map updates,³⁷ to provide a 10m buffer to the canal section in accordance with the HRA. Subject to an appropriate final design the integrity of the river corridor and its interest would be maintained.
206. North of the Tees Marshalling Yard is a route safeguarded for the Portrack Relief Road under Policy TI1. The route would result in a direct loss of habitat from the proposed SPA. It would also remove a section of the Portrack Marsh Nature Reserve. In the absence of any information to assess the impact of the road on the nature conservation interest of the site the safeguarded route for the relief road is unjustified and should be deleted. For the same reasons the new river crossing over the Tees should also be removed from the Plan. Neither project is fundamental to the delivery of any planned growth and will not affect the deliverability of any allocations. Subject to their deletion from Policy TI1 and the supporting text by **MM42** and **MM43** no allocations or policies will cause direct habitat loss.
207. At Seal Sands and North Tees significant areas of land adjacent to the SPA are allocated for specialist industrial uses. As part of the process of allocating land the Council has sought to avoid all the 'red' areas identified by a 2011 study which looked at functionally linked sites which support the highest numbers of SPA birds. This has been achieved with the exception of two areas included in error. Both should be corrected by the Council's proposed changes to the policies map upon adoption. Whilst the policies map is not before me for examination, these changes are necessary for consistency with the HRA.
208. The RSPB raises concerns that if adjoining parcels of land are developed the cumulative effect would undermine the population of assemblage species. In turn, this could lead to the loss of species and species diversity without being treated as an adverse effect on the integrity of the SPA.
209. In considering functionally linked sites the Council has been working alongside the Tees Estuary Partnership to develop a strategic masterplan for the area. Amongst other things it intends to provide a land banking mechanism to achieve net biodiversity benefits. Natural England has reaffirmed their commitment to the Tees Estuary Partnership and the strategic mitigation process in Document EX/SBC/20.
210. The critical issue to the soundness of the Plan is that the strategic mitigation referred to in Policy EG4 is not complete. As sites come forward development could therefore be restricted. Although this would prevent harm to the integrity of the SPA, in doing so the allocations would be undeliverable. Given

³⁷ Document EX/SBC/40h

that Seal Sands and North Tees form a critical part of the borough's economic strategy, this would undermine the effectiveness of the Plan as a whole.

211. However, it is clear from the information provided that work is ongoing to complete the masterplan. A Memorandum of Understanding has been signed and the principles of the habitat banking system have been established. There is nothing to suggest that it cannot be completed within the early stages of the Plan period.
212. It is therefore necessary to modify Policy EG4 by including a commitment for the Council to take appropriate action should it become apparent that there is little or no prospect of the strategic mitigation coming forward. In such circumstances **MM32** and **MM33** require the Council, after five years from adoption of the Plan, to carry out actions to investigate why the mitigation has not come forward and review evidence of bird usage at Seal Sands. If no actions can be identified to address the lack of strategic mitigation the modifications require the Council consider a partial review of the Plan to secure effective mitigation. It is also necessary to require the Council to monitor the cumulative level of development which has been delivered on the allocated sites, and modify the supporting text to Policy SD4 which refers to the legal protection of the SPA. (**MM08**)
213. Although the MM consultation identified that the Council 'may' consider such actions, a firmer indication is needed to ensure that the modified policy is clear and effective. I have therefore amended the wording in Appendix 1 to make it clear that the Council *will* investigate why the reasons why mitigation has not come forward, carry out updated reviews and consider an early review where necessary.
214. As a consequence of the MMs the Plan will allow for the completion of the strategic mitigation, or, in the event that it is not forthcoming, require appropriate action by the Council, which may include an early review of the Plan. Combined with the other requirements of Policies EG4 and ENV5, sufficient safeguards will be in place to ensure that the policies and allocations in the plan do not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site. As advised by Natural England, subject to the recommended MMs, the Plan is sound on this issue.

Issue 10 – Whether the Plan makes adequate provision to ensure that infrastructure and community facilities will meet the day-to-day needs of local communities

Infrastructure Delivery – Policy SD7

215. The allocation of sites for development has been subject to consultation with stakeholders including the Environment Agency, Northumbrian Water, Natural England, Highways England and the Council's highways officers. None have raised any objections to sites in the Plan, either individually or cumulatively, subject to the identified mitigation and MMs. Furthermore, the identification of a site for development does not negate the need for proposals to accord with other policies, namely Policy SD7, concerning the provision of infrastructure.
216. To ensure that Policy SD7 is consistent with paragraph 204 of the Framework **MM12** specifies that planning obligations will be sought where necessary to

make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind. For effectiveness it is also necessary to delete criterion (8), which is unclear (**MM12**), and to clarify in the supporting text that verification will be required where applicants are seeking to demonstrate schemes are unviable. (**MM13**)

Highways and Pedestrian/Cycle Infrastructure – Policy TI1

217. Impacts on the local road network arising from allocations in the Plan have been assessed as part of the microsimulation traffic models. The models assess the cumulative impact of planned growth and test the additional infrastructure necessary to facilitate their delivery. Sites falling outside the modelled areas have been assessed by standalone Transport Statements or Assessments.
218. For the reasons given above the impact of additional development at West Stockton and Wynyard will not have a severe impact on the safe and efficient operation of the highway network, subject to necessary junction improvements. The cumulative impact of development on Junction Road has also been considered as part of the planning application process for Site 3.8. In approving full planning permission the Council has determined that the provision of a further 96 dwellings will not have any significant adverse impact on the safe and efficient operation of the highway. Based on the evidence provided, and observations at my site visits, I find no reasons to disagree.
219. At Yarm all of the sites identified for new housing in Policy H1 have planning permission. Their effects on the local road network, including any cumulative effects, have therefore been tested as part of the model, including mitigation where necessary. The closest allocation to Yarm without planning permission is the Eaglescliffe Golf Course (Site 3.13). The Transport Assessment for the site has tested the capacity of the road network against the Yarm Aimsun model and demonstrates that the differences in journey times as a result of the development will not be significant, subject to providing a dedicated right turn lane from the A135.
220. Policy TI1 includes a list of highway improvements to the strategic and local road networks. The list is brought up-to-date by **MM42**, which also corrects errors. To ensure consistency with the Framework, and because Policy TI1 is intended to relate to all proposals, not just residential development, **MM42** also amends the policy to promote the efficient delivery of goods and supplies.
221. Policy TI1 also safeguards pedestrian and cycle routes, including a proposed bridge link across the River Tees between Ingleby Barwick and Egglecliffe. The route is safeguarded on the policies map and would connect the route of Public Footpath Egglecliffe No.2 to the Ingleby Barwick side of the River Tees. Although not all of the funding has been secured to construct the bridge, which would require third party land acquisition, the Council confirms that feasibility studies have been carried out and that the scheme is deliverable. During my site visit I saw no significant bank erosion that would seriously undermine construction of a bridge, and I am not persuaded that use of the route by pedestrians and cyclists would be a serious source of nuisance or anti-social behaviour. Instead, it will provide a direct link between Ingleby Barwick and Egglecliffe to the benefit of both communities. Safeguarding the

route is therefore justified. However, to be effective the Policy should clarify that the bridge is for pedestrians and cyclists only.

222. As submitted the proposed pedestrian and cycle route to the east of Yarm stops midway along the existing footpath. Without a publically accessible crossing point it would not achieve the objective set out in paragraph 7.11 and would not be deliverable. Although Yarm School are committed to a bridge link across the river, it is intended for school use only. Accordingly, **MM42** deletes the proposed route.
223. Elsewhere Policy TI1(4)b. safeguards a route between the River Tees/Surtees Bridge and Victoria Bridge on the western bank of the Tees in Stockton. The project was intended to realign and upgrade the existing footway to a footway and cycleway through the Boathouse Lane development. Following deletion of the allocation the proposed route would be undeliverable and should be removed from the Plan by **MM42**. The MM also corrects a drafting error which refers to the footway and cycleway at Wynyard Woodland Park as a bridleway.
224. The safeguarded pedestrian and cycle route to the north of Mill Lane at Long Newton is justified to close the gap in the existing network between Darlington and Stockton. Whilst it has been suggested that the route should also run along Newton Lane, the Council has previously investigated this possibility and concluded that it would be unfeasible due to the width of the verges. Providing a route alongside Newton Lane would also be cost prohibitive due to the length of private land required (approximately 2.3 miles). The extent of the route is therefore justified as proposed.

Community Facilities – Policies TI2, TI3, EG6 and SD6

225. Policy TI2 is broadly consistent with paragraph 70 of the Framework which requires planning policies to guard against the unnecessary loss of valued facilities and services, particularly where it would reduce the community's ability to meet its day-to-day needs. However, in order to be effective and provide clarity to decision-makers, developers and local communities **MM44** is necessary to set out clear policy requirements to consider proposals against.
226. To provide greater flexibility, and to ensure that the policy is positively worded, the modification allows for instances where the reuse of buildings would be acceptable. There is also no need to repeat the requirements for proposals affecting an Asset of Community Value, other than to confirm that the Council will take a listing into account as a consideration where relevant. For clarity this is modified by **MM44**. In addition, to ensure consistency with paragraph 74 of the Framework **MM44** is necessary to amend criterion (6) to confirm that the tests relate to all existing sports and recreational buildings and land, not just playing fields.
227. In terms of new provision, the intention of Policy SD6(4) is to support community infrastructure and facilities where they are required. **MM11** is necessary to ensure that this is reflected in the policy. Requiring all proposals of more than 1,000 square metres or 10 dwellings to provide new shopping, service and community facilities is not necessary or commensurate with the scale of smaller proposals. It would also be unsuitable in some of the specialist employment areas where public access is restricted. Policy EG6(2) is therefore amended to refer to strategic housing and general employment

developments, having regard to existing provision nearby (**MM36**). Whether or not end operators could be attracted would be a material consideration on a case-by-case basis, and does not need to be included for soundness.

228. Finally, the requirement for applicants to demonstrate how proposals will contribute towards, and be compatible with, fibre and internet connectivity in Policy TI3 is justified. It is also consistent with paragraph 43 of the Framework which requires local plan to support telecommunications including high speed broadband. That being the case, the need to for a Connectivity Statement is a matter for the Council's planning application validation checklist. It would also be an onerous, and unnecessary requirement for small-scale developments. Accordingly, **MM45** and **MM46** are necessary to remove this requirement from Policy TI3.

Conclusion

229. Subject to the recommended MMs I therefore conclude that the Plan makes adequate provision to ensure that new and existing infrastructure will meet the day-to-day needs of local communities.

Issue 11 – Whether the strategy for retailing and main town centre uses is justified, effective and consistent with national policy

Retail Hierarchy

230. Stockton is by far the largest centre and contains the main retail, leisure and administrative functions of the borough. Its position in the hierarchy as the only Town Centre is therefore justified.

231. Within the Town Centre boundary is the Primary Shopping Area ('PSA'). It encompasses the Wellington Square shopping precinct and the main town centre uses along the High Street, including the Castlegate Shopping Centre. The identification of the PSA is consistent with the definition in the Framework, which is described as an area where retail development is concentrated.

232. Identifying Wellington Square and Castlegate shopping centres as part of the Primary Shopping Frontage (or 'Stockton Town Centre Shopping Frontage' as its referred to in Policy EG2) is justified as it reflects their role as key retail destinations in the town. The remainder of the High Street also includes a large proportion of retail uses. Despite being relatively large, the Stockton Town Centre Shopping Frontage is therefore appropriate and consistent with the definition in the Framework.

233. Below Stockton are the District Centres of Billingham, Thornaby, Norton and Yarm. They typically include local shops, including supermarkets, in addition to non-retail uses such as banks, restaurants and community facilities. Elsewhere 15 Local Centres are defined under Policy SD4. Their inclusion is supported by the *Local and Neighbourhood Centres: Study Report*.³⁸ It takes into account factors such as floorspace, the number and range of uses, the role and function of the centre, accessibility and investment.

³⁸ Document SBC05/3

234. The former neighbourhood centre close to Eaglescliffe Station includes a range of uses including, amongst others, a convenience shop, a local pub, a dentist, a restaurant and a motorcycle repair shop. However, it lacks the critical mass and range of services to act as a focal point for local shopping and service provision. The Plan is not unsound by failing to recognise Albert Road/Station Road as a Local Centre.

Meeting Retail Needs

235. The *Stockton-on-Tees Town Centre Uses Study*³⁹ identifies a convenience goods capacity of up to 2,691 square metres (gross) of additional floorspace over the plan period. **MMO3** is necessary to accurately reflect this in Policy SD2.

236. For comparison goods, Policy SD2 states that there is a requirement for 4,500 square metres up to and including 2020/21. Beyond 2021 it states that future needs will have to be determined by subsequent retail capacity assessments.

237. The reason for taking this approach is due to significant increase in capacity forecast beyond 2021, rising from £14m to £104m by 2026. The Town Centre Uses Study advises that the figures “...should be treated with a degree of caution” due to different assumptions on population spending forecasts, including special forms of trading (such as the internet). If future reviews suggest a similar upward trend in expenditure and capacity then the Council will need to consider if any action would be necessary at the appropriate time. This might, for example, include an early review of the Plan or parts of it.

238. During the course of the examination planning permission has been secured for additional out-of-centre comparison retailing at Teesside Park. In response it has been suggested that the scheme renders the Town Centre Uses Study out-of-date, as there would now be less capacity. However, there would be no benefit in delaying adoption of the Local Plan to carry out another assessment which could also be superseded by different commitments. Instead, SD2 should be modified to confirm that the identified capacity could be met by existing commitments, therefore reflecting the current situation. **(MMO3)**

239. Two sites are allocated in Stockton Town Centre for mixed used developments that will contribute towards the identified retail needs. Allowing a range of main town centre uses is justified to provide flexibility and ensure that the sites are attractive to the market, and deliverable. The Council's Matter 14 Hearing Statement also includes details of other schemes that will contribute towards meeting identified needs, including a hotel under construction in Stockton.

240. Criticisms of the allocations point to the high levels of vacant units throughout Stockton town centre. Some units in Wellington Square have remained unoccupied ever since they were built. But the Town Centre Uses Study recommends that in order for Stockton to claw-back market share from Teesside Park there is a need to enhance the range and quality of provision. This includes offering opportunities for larger format operators. The southern gateway into the Town Centre also remains a regeneration priority for the

³⁹ Document SBC05/1

Council. Redevelopment of the allocated sites will therefore improve the attractiveness of the Town Centre and is a positive strategy in seeking to address the imbalance with out-of-centre retail parks.

241. For clarity, and to improve the vitality and viability of town centres throughout the borough **MM07** is necessary to confirm that out-of-centre proposals will be determined in accordance with Policy EG3, and to support the use of upper floors above shops for residential uses. This ensures consistency with paragraph 23 of the Framework which states that local plans should recognise that residential development can be important in the vitality of centres.

Managing Centres

All Centres

242. The Council's intention is that proposals for changes of use away from Class A1 retailing are considered against Policy EG2 criterion (1) and (2), regardless of location. Additional criteria under part (3) are then intended to apply to proposals in the PSA and the Stockton Town Centre Shopping Frontage only. To make this clear changes are required by **MM29**.
243. For consistency with the Framework changes are also required to criterion (1) to ensure that the policy seeks to maintain and enhance the vitality and viability of centres, rather than the retail function of individual units. In addition, for effectiveness clearer tests are necessary for applicants to show that retail premises are no longer required, rather than just being 'attractive' to the market. As part of this process there may be instances where the loss of a key retail unit is justified. To promote the sustainable reuse of vacant units part (1)b. should therefore be amended. These changes are set out in **MM29**. Additional supporting text is also necessary to clarify that the size, location or other characteristics of a unit could be taken into account in determining what defines a 'key' retail premises. (**MM30**)

Stockton Town Centre

244. The aims and objectives of Policy EG2(3) are to enhance the retail function of Stockton Town Centre as a whole, enhance the vitality and viability of the PSA and reduce the number of vacant units. For effectiveness **MM29** includes these objectives in the Policy.
245. **MM29** includes several further changes to Policy EG2 which are necessary for soundness. Firstly, the requirement to retain a 'high concentration' of retail uses is vague and lacks the clarity necessary for effective decision making. Seeking to reduce the number of vacant units to the national average would also be difficult for members of the local community to interpret, and incorrectly implies that once such levels have been reached, the policy has been met. As such, **MM29** deletes both criteria (3)a. and (3)b.
246. Secondly, in trying to enhance the vitality and viability of the PSA criterion (3)c currently prohibits pay day loan shops, bookmakers and hot food takeaways from the Stockton Town Centre Shopping Frontage. The Council's reason for this approach is to prevent closed units during the day which would have a harmful impact on the character, appearance and vibrancy of the area. With regard to hot food takeaways the policy is appropriate and justified. The

majority of such outlets typically open during the evening, and the presence of closed units on the main retail streets in the Town Centre would be directly at odds with the aims and objectives of the policy which seek to improve the vibrancy of the area. On the other hand, pay day loan shops and bookmakers would primarily be open during normal business hours. Provided that their location did not result in a harmful concentration of non-retail uses, in the right places such uses could be appropriate. **MM29** therefore amends criterion (3)c to remove pay-day loan shops and bookmakers from the list of prohibited uses.

247. Thirdly, as submitted the Plan aims to consolidate the retail offer in Stockton by encouraging a wider variety of uses outside the PSA, including offices, hotels and leisure. It also seeks to support proposals for food, drink and other night-time economy uses outside the Stockton Primary Shopping Frontage subject to meeting certain criteria. In the interests of effectiveness **MM29** is necessary to make this clear to developers, decision-makers and local communities and differentiate between the PSA and the wider town centre.

248. In considering the modifications necessary to Policy EG2 for Stockton Town Centre I have taken into account that some hot-food takeaways would open during the day and are intended to provide a small-scale, ancillary service to high street shoppers. But the policy provides a framework that the Council can use to guide development over the plan period. It is not intended to cover every eventuality, and such proposals would be considered on their own merits taking into account the specific circumstances relevant at that time. By seeking to retain active daytime uses throughout the core retail area the policy is sound. As modified Policy EG2 also permits food and drinks uses outside the primary shopping frontage. It is therefore consistent with the Framework which states that secondary frontages provide greater opportunities for a diversity of uses such as restaurants.

District and Local Centres

249. Elsewhere in Policy EG2 new retail and leisure uses are supported in the District Centres of Billingham, Norton, Thornaby and Yarm. To be effective criterion (8) is amended by **MM29** to state that proposals will be supported where they do not have a significant adverse impact on existing investment or the vitality and viability of other centres. The requirement is justified due to the proximity of these centres to Stockton, its current fragility and already high vacancy rates.

250. Finally, as part of Policy EG2 some houses in Yarm and Norton have been identified as 'Residential Protection Points'. These properties are important to the historic character and mix of uses in the centres. As a result, their protection from alternative uses is justified. However, for effectiveness **MM29** and **MM58** are necessary to ensure that the list of properties is accurate, and because not all of the properties are on the High Street.

Protecting Centres and Promoting Healthy Eating – Policies EG3 and EG6

251. Policy EG3 lists a hierarchy of sequentially preferable locations which proposals for retail uses must follow. It also sets out local impact assessment thresholds based on the Town Centre Uses Study.

252. In some instances the assessment of a proposal's impact may be required due to its size, location or likely level of turnover, even if it is below the thresholds in Policy EG3. **MM31** therefore amends Policy EG3 to provide greater flexibility, and to provide clarity when impact assessments are required for non-retail uses.
253. Where proposals for hot food takeaways outside designated centres fall within 400m of an existing primary school, secondary school, park or playground they are restricted by Policy EG6. The intention of the policy is to promote healthier eating amongst school children and young people.
254. The PPG⁴⁰ advises that local planning authorities can consider bringing forward local plan policies which limit the proliferation of certain use classes in identified areas, such as locations where young people congregate, including schools. But such policies must be *"supported by an evidence base"*.
255. The justification for draft Policy EG6(5) is provided in examination document SBC05/26. Rather than being specific to Stockton-on-Tees, the document is a peer review of different studies and emerging themes in policy and practice. Whilst I appreciate that the borough has higher than average rates of childhood obesity, it does not provide any correlation between obesity in Stockton and the proximity of hot food takeaways to schools, parks or playgrounds. In the absence of any further evidence draft Policy EG6(5) is therefore unjustified and is deleted by **MM36** and **MM37**.
256. As a consequence of **MM36**, for effectiveness it is also necessary to delete the indicator relating to childhood obesity in the Annex to the Plan. I have therefore included reference to Indicator EG.06 in the schedule of MMs in Appendix 1. (**MM57**)

Conclusion

257. Subject to the recommended MMs I therefore conclude that the strategy for retailing and main town centre uses is justified, effective and consistent with national policy.

Issue 12 – Whether the approach to green infrastructure and open space and recreation is justified and consistent with national policy

Landscape and the Countryside – Policy SD5

258. Within the countryside Policy SD5 requires development to 'preserve' its intrinsic value. To ensure consistency with the terminology used in the Framework amendments are necessary to criterion (1)e as set out in **MM09**. For the same reasons, and to ensure that the policy is positively worded, changes to criterion 1(j) in **MM09** require proposals to respond to landscape character, consider mitigation where necessary and take into account the benefits of development when reaching a balanced judgement on any harm. Erroneous references to 'strategic gaps' in the supporting text to Policy SD5 should be also deleted, along with the identification of the correct policy references for the countryside on the Key Diagram. (**MM10** and **MM16**)

⁴⁰ Paragraph: 006 Reference ID: 53-006-20170728

259. The support provided for the re-use of buildings in Policy SD5(h) is consistent with paragraph 55 of the Framework. However, reusing buildings where development 'requires such a location' is unclear and unjustified. It would restrict the sensitive re-use of a traditional building into an office, for example, which might not *require* a countryside location, but would be acceptable in all other regards. Therefore, this phrase is deleted by **MM09**.

Green Wedges – Policies SD5 and ENV6

260. The Green Wedges provide buffers between built up areas of the Conurbation. They provide links to the countryside from residential communities, provide open space and recreation close to where people live, support ecological networks and prevent the coalescence of the main settlements. As a designation they are justified and appropriate.

261. However, the role and function of the Green Wedges is unclear from Policies SD5 and ENV6, which is rectified by **MM10** and **MM53**. To be effective Policy ENV6 should also refer to Green Wedges in the title of the Policy and set out clear requirements for decision-makers, developers and local communities to follow (**MM52**). For the same reason, and because the Green Wedges are not meant to act as a barrier to development, reference to 'protecting' them in Policy SD5 is reworded by **MM09**.

262. The *Stockton-on-Tees Review of Strategic Environmental Policy Designations*⁴¹ includes an assessment of land between Ingleby Barwick and the Teesside Industrial Estate (Area 45). The Green Wedge in this location provides physical and visual separation between Ingleby Barwick and Thornaby.

263. The boundary of the Green Wedge is derived from an extant outline planning permission.⁴² It follows the edge of the proposed residential development, rather than the recently planted trees further to the east. Although the boundary of the Green Wedge is based on an indicative layout, which might be subject to change, it broadly follows the line of existing residential development in Ingleby Barwick to the north. In addition, the tree planting is still young and does not provide a clearly defined boundary. The proposed boundary is therefore appropriate and justified.

264. It is also pertinent to consider that, subject to recommended MMs, development would not be precluded within the Green Wedge provided that it met the relevant criteria. The Plan will therefore be positively worded and provides sufficient flexibility to allow for subsequent reserved matters applications to come forward without prejudicing the deliverability of the site.

265. Around Preston Farm the Green Wedge provides physical and visual separation between Eaglescliffe and the Preston Farm Industrial Estate. Without it Eaglescliffe and Stockton would merge together as part of a single built-up area following the A135. The Green Wedge in this location is justified.

⁴¹ Document SBC07/21

⁴² Ref APP/H0738/W/15/3134512

Open Space – Policy ENV6

266. The open spaces illustrated on the submission policies map are based on the assessments in the *Stockton-on-Tees Open Space Assessment Report (Part 1)* and the *Open Spaces Strategy (Part 2)*.⁴³ For clarity the references in Policy ENV6 should be explicit that the open spaces refer to the ones shown on the policies map. **(MM52)**
267. Due to the site threshold of 0.2 hectares used in the open space assessment some smaller areas may have been missed which make a positive contribution to the character and appearance of an area. Therefore **MM52** expands criterion (3) of Policy ENV6 to take into account proposals affecting amenity open space.
268. As submitted land to the west of the former Norton School was undesignated. The Council has therefore sought to rectify this omission by identifying the site as open space, consistent with Documents SBC07/23 and SBC07/24. It has been suggested that the site should be identified as a playing field. However, the Council confirms that the triangular shaped parcel was fenced off in 2005 and has been maintained since this time as a publically accessible area of open space. The extent of the playing fields illustrated on the policies map is therefore justified and reflects the current situation. Moreover, as an area of amenity open space any potential redevelopment of the site would be subject to Policy ENV6.
269. To the rear of Chesham Road and Dovedale Road is an irregular parcel of land designated as open space. The assessments in Documents SBC07/23 and 24 have recorded the site as publically accessible when this only applies to the eastern section which includes a footpath and cycleway. Nevertheless, the remainder of the site is justified for its inclusion as an area of amenity open space. In such circumstances the Plan does not prevent new development coming forward, subject to meeting the criteria in Policy ENV6.
270. To the south of Stockton is the Tees Heritage Park. Although the heritage park is not identified on the policies map, it is included under Policy SD5. Criterion (1) supports proposals which seek to improve 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 community involvement. The River Tees corridor also includes Green Wedge and Open Space designations. The Plan therefore includes an appropriate strategy for the future protection and enhancement of the area.
271. With regard to the provision of new open space, Policy ENV6 requires green infrastructure to be integrated, where practicable, into new development. The Plan is therefore consistent with paragraph 114 of the Framework which requires Local Plans to plan positively for the creation, protection, enhancement and management of networks of green infrastructure. However, requiring proposals to 'accord' with the *Open Space, Recreation and Landscaping Supplementary Planning Document* ('SPD') in criterion (4) should be deleted as it is not a development plan document and provides additional guidance only. **(MM52)**

⁴³ Documents SBC07/23 and 24

Best and Most Versatile Agricultural Land – Policy ENV7

272. Paragraph 112 of the Framework states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be used in preference to that of a higher quality. **MM54** and **MM55** are therefore required to ensure consistency with the Framework. For clarity and effectiveness the paragraph relating to best and most versatile agricultural land should also form part of Policy ENV6, rather than ENV7 which concerns pollution. (**MM52** and **MM53**)

Conclusion

273. Subject to the recommended MMs I therefore conclude that the approach to green infrastructure and open space and recreation is justified and consistent with national policy.

Issue 13 – Whether the Plan provides sufficient measures to protect, preserve and enhance the natural, built and historic environments

274. Policy SD5 sets out the Plan's strategic requirements for the natural, built and historic environments. Because it goes beyond just the environment and climate change the title of the policy is amended by **MM09**.

Natural Environment – Policy ENV5

Ecology

275. As submitted the requirements of the Plan concerning the protection and enhancement of ecological networks are found in Policy ENV6, which relates primarily to areas of green infrastructure such as green wedges. For clarity and effectiveness the requirements should be incorporated into Policy ENV5. (**MM51**)

276. In addition to the changes above, several modifications are required by **MM51** and **MM51a** to ensure that Policy ENV5 is up-to-date, clear to decision-makers, developers and local communities, effective and consistent with national planning policy.

277. Firstly, to reflect the work carried out by the Tees Valley Nature Partnership, and plan for biodiversity at a landscape-scale across local authority boundaries, Policy ENV5 is modified to refer to wildlife corridors and Biodiversity Opportunity Areas, with updated maps to replace Figures 16 and 17.

278. Secondly, where development proposals are likely to have a significant effect on an internationally designated site, and when considered alone and in combination with other plans and projects, Policy ENV5 should specify that an Appropriate Assessment will be required. Reference to 'prevailing legal protection' is ambiguous and would be difficult, especially for local communities, to understand what is required. For the same reasons, and to reflect the hierarchy of sites, it is necessary for the Plan to include clear requirements for development proposals affecting national and locally

designated sites. In the case of local sites, mitigation may prevent any harm arising. As such, compensatory measures may not be required in all cases.

279. Thirdly, the approach to protecting important trees, hedgerows and woodlands is justified. However, the policy should specify that it is intended to protect features which are important to the character and appearance of the local area or are of nature conservation value, rather than just referring to 'amenity'. Consequential changes are also required to the supporting text in **MM51a**.

Pollution

280. Policy ENV7 seeks to ensure that development proposals incorporate measures to prevent or reduce pollution so as not to cause unacceptable impacts on the environment. The rationale for the policy is justified, but for clarity it should define what impacts developers and decision-makers are expected to consider. It should also recognise that mitigation will not be required in every case, with additional supporting text required to ensure that the policy is effective. Subject to the recommended modification reference to 'amenity' in criterion (3) is superfluous and should be deleted. (**MM54** and **MM55**)
281. As part of Policy ENV7 the Plan includes a specific requirement for decision-makers to take into account the effects of development on air quality. As modified it also requires developments to incorporate specific measures to prevent pollution to avoid unacceptable impacts on living conditions, which is also a requirement of Policy SD8. In addition, Policy SD5 states that wherever possible proposals should seek to improve ground, air and water quality. The Plan therefore includes a robust policy framework to ensure that the effects of new development on air quality are appropriately considered.

Built Environment – Policy SD8

282. Requiring new development to be designed to the highest possible standards is consistent with one of the Framework's Core Planning Principles. Paragraphs 57 and 58 also state that it is important to achieve high quality and inclusive design, and aim to ensure that developments create safe and accessible environments. For consistency with the Framework, Policy SD8 should therefore require all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities, and provide safe and satisfactory access. (**MM14**)
283. For effectiveness and consistency with the Framework criterion (e) should be modified to require developments to provide a good standard of amenity for all existing and future occupants of land and buildings, with additional supporting text to confirm that the policy also applies to changes of use and sub-divisions (**MM15**). The change ensures that proposals such as the conversion of houses in student accommodation also consider amenity issues. There is no need to specifically refer to replacement dwellings as part (e) relates to all occupants.

Historic Environment – Policies HE1-HE3

284. Rather than repeating the requirements of the Framework, Policy HE2 refers directly to national planning policy. The approach has been agreed with Historic England during the preparation of the Plan and is appropriate.

285. However, to be effective Policy HE2(5) should be modified to clarify that where recording is required, it should advance the understanding of the significance of the heritage asset in a manner proportionate to its significance. Policy HE2 also lists Scheduled Monuments, Registered Parks and Gardens and Conservation Areas as heritage assets of 'considerable significance'. This is misleading as it suggests that other designated heritage assets have less significance. The policy could also become out-of-date if new conservation areas be established. As such, it should be modified by **MM56**.

286. Finally, **MM28a** is necessary for effectiveness to confirm that particular consideration should be given to the High Burntoft Farm Scheduled Monument and the Stockton Town Centre Conservation Area when bringing forward employment sites at Wynyard and mixed-use sites in Stockton Town Centre. However, for clarity I have corrected a typographical error in the schedule at Appendix 1.

Conclusion

287. Subject to the recommended MMs I therefore conclude that the Plan provides adequate policies to protect, preserve and enhance the natural, built and historic environments.

Issue 14 – Whether the Plan supports the transition to a low carbon future and includes appropriate policies to address climate change

Sustainable Transport - Policies SD6 and T11

288. Paragraph 35 of the Framework states that Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Amongst other things it requires developments to give priority to pedestrian and cycle movements, have access to high quality public transport, create safe and secure layouts and consider the needs of people with disabilities. To ensure that Policy T11 is consistent with the Framework several modifications are required by **MM42** and **MM43** as explained below.

289. Policy T11 should require all new developments which generate significant movements to be located where the need to travel can be minimised, and where practical, give priority to sustainable modes of transport. It should also specify that suitable access must be provided for all people, including those with disabilities, and that new developments should minimise conflict between traffic, cyclists and pedestrians.

290. For effectiveness reference to 'current guidance', or guidance 'deemed appropriate by the local highway authority' should be deleted as it provides no clarity or certainty to users of the Plan. Similarly, additional supporting text is needed to clarify that Transport Statements and Assessments will be determined by the size of a scheme and the nature of the development.

291. Finally, for effectiveness **MM11** is necessary to confirm that regard will also be had to improving access to local services, facilities and local amenities as part of delivering a sustainable transport network.

Energy Efficiency – Policy ENV1

292. The March 2015 WMS confirmed that local planning authorities are able to continue setting policies which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. Although the Deregulation Bill has been enacted, the relevant Commencement Order has not been made. The requirement for major residential development proposals in Policy ENV1(3) is therefore justified, and reflects national planning policy which states that planning should support the transition to a low carbon future in a changing climate. It has also been tested as part of the WPVA. However, to be effective, and consistent with the remainder of the policy, criterion (3)(b) should refer to the reduction of CO2 emissions. **(MM47)**

293. As well as seeking to incorporate renewable energy in qualifying housing schemes, Policy ENV1(1) requires all developments to meet the *“highest feasible environmental standards that are financially viable...”*. It is unclear how this would be determined by decision-makers and demonstrated by developers, especially for small builders and/or individuals. It also fails to provide flexibility and reflect circumstances where meeting higher standards would not be possible, and should be modified by **MM47**.

Provision of Renewable and Low Carbon Energy – Policy ENV2

294. In helping to increase the use and supply of renewable and low carbon energy paragraph 97 of the Framework states that local planning authorities should, amongst other things, ‘consider identifying suitable areas’ for technologies. The PPG confirms that there are no hard and fast rules about how suitable areas for renewable energy should be identified, but the process should take into account the requirements of the technology and potential environmental impacts.⁴⁴

295. The *Stockton Renewables Study: Wind Study*⁴⁵ demonstrates that the borough is very heavily constrained, with major constraints covering much of Stockton-on-Tees. Although there are areas with variable constraints (such as radar installations) they are limited to pockets of land scattered across the borough. They may also be affected by other constraints not considered in the assessment, such as bird migration routes. The Study therefore concludes that Stockton-on-Tees offers limited opportunity for wind energy development. No alternative assessment has been produced to suggest that capacity exists within the borough.

296. Based on the evidence provided Policy ENV2 is therefore justified, although to remove any potential confusion the word ‘appropriate’ should be deleted from the first sentence by **MM48**.

⁴⁴ Paragraph: 005 Reference ID: 5-005-20150618

⁴⁵ Document SBC07/5

Reducing and Mitigating Flood Risk

297. Prior to the examination hearing sessions the Council submitted updated SFRA's.⁴⁶ As identified above, the latest evidence reviews all of the proposed site allocations and makes recommendations regarding their flood risk. Where necessary sites have been taken forward to a Stage 2 Assessment, with Exception Tests carried out as required. This latest evidence has led to the proposed deletion of land at Boathouse Lane from the Plan and modifications to Policy EG4 and its supporting text in relation to Billingham Riverside and North Tees/Seal Sands.
298. The recommended approach to development at Boathouse Lane, Billingham Riverside and North Tees/Seal Sands is supported by the Environment Agency as set out in the Statement of Common Ground⁴⁷ prepared for the hearing sessions. The Statement also confirms that the SFRA Level 2 is acceptable, that it has informed the preparation of the Plan and that the Council has applied the Sequential and Exception tests where necessary. The Plan is therefore consistent with paragraph 100 of the Framework which requires local plans to provide a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property.
299. Policy ENV4 seeks to achieve the same objectives in terms of windfall sites by directing development to areas at the lowest risk of flooding. However, for consistency with the Framework it should be reworded to confirm that development at risk of flooding will only be permitted upon successful completion of the Sequential and Exception tests, and a site specific assessment demonstrates that it will be safe throughout the lifetime of the development (**MM49**). Consequential changes are also required to the supporting text by **MM50**.

Conclusion

300. Subject to the recommended MMs I therefore conclude that the Plan supports the transition to a low carbon future and includes appropriate policies to address climate change.

Assessment of Legal Compliance

Local Development Scheme ('LDS') and Consultation

301. The Plan conforms to the subject matter and geographic area set out in the LDS.⁴⁸ It was submitted for examination broadly in line with the timescales given of 'autumn 2017'. The Plan area is logical given the administrative boundary of the borough and the conclusions reached on the HMA.
302. Consultation has been carried out in accordance with the *Stockton-on-Tees Local Plan Statement of Community Involvement 2016*⁴⁹ and the Consultation Plans. Letters and emails were sent to everyone on the Council's Local Plan

⁴⁶ Documents EX/SBC/13, EX/SBC/13a, EX/SBC/14 and EX/SBC/15

⁴⁷ Document EX/SBC/17

⁴⁸ Document SBC02/1

⁴⁹ Document SBC02/2

consultation database which includes stakeholders and any residents or developers who have expressed an interest in the production of planning policy documents. Promotional flyers and posters were also used in public buildings, in addition to advertising in the *Stockton-on-Tees News* magazine, which is issued to every household in the borough. Consultation events have also been held in Stockton, Billingham, Thornaby, Norton and Yarm, with briefing sessions for Council Members and Town/Parish Councils. At all times documents have been made available online and at libraries across the borough.

303. Throughout each stage the Council has sought views electronically using email and an online survey, and in paper. The Council reviewed representations and summarised them in consultation statements. Similar reports were created for earlier consultation stages and demonstrate how the Council has taken representations into account. Representors were also given opportunities to comment on additional documentation prepared before and after the examination hearing sessions. I am therefore satisfied that sufficient publicity has been carried out and that interested parties have had adequate opportunities to engage in the process and make representations.

Sustainability Appraisal

304. The Council has carried out a SA of the Plan and of the MMs where necessary. It considered alternative housing growth scenarios such as extensions to the Conurbation, sites to provide new settlements and Village extensions. A further SA⁵⁰ was then prepared for the examination hearing sessions which assessed higher growth options that would provide more affordable housing. Based on the evidence provided the Council has therefore carried out an adequate SA of the Plan and reasonable alternatives have been considered.

Habitat Regulations

305. The HRA update confirms that subject to the recommended MMs, the policies and sites allocated in the Plan will not result in the direct loss of any habitats associated with the Teesmouth and Cleveland Coast SPA. Nor will the planned levels of growth give rise to any adverse recreational or air quality impacts.

306. At Seal Sands strategic mitigation is being prepared, with agreement in place between some of the key stakeholders regarding the necessary actions. It is likely that this will be in place in the short-medium term future, and will ensure that the cumulative effects of development are mitigated. In the event that the strategic mitigation is not completed, MMs will ensure that actions are taken within an appropriate timeframe, which could include an early review of the Plan. In the interim period policies EG4 and ENV5 provide an effective strategy to ensure that the effects of new development do not have an adverse impact on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site. As confirmed by Natural England, subject to the recommended MMs the Plan is legally compliant and sound in this regard.

⁵⁰ Document EX/SBC/29

Public Sector Equality Duty ('PSED')

307. In reaching my conclusions I have had due regard to the equality impacts of the Plan in accordance with the Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010. Amongst other things, this set outs the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

308. The Plan includes policies concerning specialist accommodation for the elderly and gypsies and travellers. The housing requirement also includes an uplift above the OAN to account for Council strategies for supporting older people to stay in their homes for longer. In addition, subject to the recommended MMs the Plan includes clear policy requirements to provide accessible environments and take account of the needs of people with disabilities.

309. As a result, the disadvantages that these groups suffer will be minimised over the plan period and their needs met in so far as they are different to those without a relevant protected characteristic. No compelling evidence has been provided to show that the Plan would bear disproportionately or negatively on people who share a protected characteristic.

Climate Change

310. Policies SD5, SD6, TI1, ENV1, ENV2, ENV3 and ENV4 will help ensure that the development proposed in the Plan will contribute to the mitigation of, and adaptation to, climate change. The policies include requirements relating to the provision of sustainable transport infrastructure, energy efficiency, renewable and low carbon energy generation, decentralised energy supply and reducing and mitigating flood risk. The overarching principles of the housing strategy in Policies SD3, H1, H2 and H3, including the creation of sustainable communities at West Stockton and Wynyard, also seek to focus significant new development in locations which are, or can be made sustainable.

311. I therefore conclude that the Plan meets the relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Overall Conclusion and Recommendation

312. The Plan has a number of deficiencies in respect of soundness and legal compliance which, for the reasons set out above, mean that I recommend non-adoption of the Plan as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues above.

313. The Council has requested that I recommend MMs to make the Plan sound, legally compliant and capable of adoption. Overall, I conclude that with the recommended modifications set out in the accompanying Appendix the Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the Framework.

Matthew Birkinshaw

INSPECTOR

This report is accompanied by the following Appendix:

Appendix 1 – Schedule of Recommended Main Modifications

Appendix 1 – Schedule of Recommended Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM01	17	3.1 / Vision	<p><i>In 2032 the major settlements and industrial locations in Stockton-on-Tees Borough are fundamental to the economic growth and success of the Tees Valley City Region and its positive contribution to the northern and national economies. Economic growth continues to be focused on sites of strategic importance as well as established sites which are accessible from the strategic transport networks and remain attractive to local businesses and new inward investment.</i></p> <p><i>Economic growth across the Borough is supported by a high quality local road network, and modern sustainable transport and communications infrastructure. Residents and visitors make full use of opportunities for sustainable transport choices.</i></p> <p><i>The upgraded and regenerated centres of Stockton, Billingham and Thornaby, are supplemented by facilities and investment in Norton and Yarm which provide opportunities for a range of improved retail, culture, leisure, and related facilities. Residents have access to the very best in housing, education and training, health care, employment, sport, recreational and cultural facilities, which has created a better quality of life for existing and future generations.</i></p> <p><i>Sustainable communities have been created through new housing development in sustainable locations, in particular; through the redevelopment of previously developed land within the regenerated River Tees corridor alongside other development in the conurbation, a sustainable urban extension at West Stockton, as well as extensions to some of the main towns in the conurbation. Wynyard has grown in to a sustainable settlement of high quality, accommodating a mix of executive housing, market housing and additional employment development. All residents have access to high-quality social, community and green infrastructure.</i></p>

			<i>The diversity, quality and character of the natural and built environment, together with the Borough's unique historic assets continue to be valued, protected, enhanced and resilient to climate change for the benefit of everyone.</i>
MM02	20	SD2.4	4. To meet the needs of Gypsy and Travellers for 4 pitches the Council support the re-occupation of pitches <u>on the existing sites at Mount Pleasant Grange, Bowesfield Lane.</u>
MM03	20	SD2.5	5. To meet the town centre use needs of the Borough, there is a need for: a. Up to 2,95700 sq m (Gross) of convenience retail floorspace by 2031/2032. b. Up to and including 2020/21 there is a need for up to 4,500 sq m (Gross) of comparison retail floorspace. Beyond 2021/22, although this could be met through the implementation of existing commitments. Beyond 2021/22 there may be a need to bring forward new comparison retail which will be determined by future retail capacity assessments. c. Economic growth proposals which improve the quality, range and choice of retailers in Stockton Town Centre and Billingham District Centre.
MM04	20/21	Para 4.6 - 4.8 and 4.19	4.6. The Strategic Housing Market Assessment (SHMA) established the Councils Objective Assessment of Housing Need (OAN) as a need for 11,060± dwellings between 2014 and 2032. <u>The OAN for housing includes uplifts from the CLG Household projections to take account of long-term migration and concealed households. The Council has applied a further uplift to ve translated the OAN into a housing requirement in accordance with NPPF and Planning Practice Guidance (PPG); in doing so the Council have applied an uplift to the OAN in order to address accommodate the needs of older people. In calculating the housing requirement and a backlog of housing needs which were not met by housing delivered between 2014/15 (the baseline for the projection) and 2016/17 (the start date of the plan period) has also been included. The housing requirement in the Local Plan (2017 - 32) is therefore 10,150 homes. Figure 8 below provides a simple summary of how the housing requirement was calculated.</u> 4.7. The An uplift for older people's needs is required as the OAN projection assumed that there would be a major growth in older people living in residential care homes. However, national and local social care policy seeks to support people to live longer in their own home. As a result, older people will live longer in their own homes, which means that these properties will not be available to younger households. Further research estimates that this will add approximately 800

dwellings to the housing requirement over the plan period.

4.8. As older people’s needs have been included in the housing requirement, in accordance with national guidance the Council will count the contribution that residential institutions / care homes will make on the basis of 1.35 bedspaces equals 1 dwelling.

Figure 8 – Housing requirement components

Requirement	Total	Average
a. OAN Backlog (2014 to 2017)	2,060±	687
b. Delivery	1,729	576
c. Residual Backlog (a - b)	332	-
d. OAN (2017 – 2032)	9,000	600
e. Older People’s Need	793	53
f. Housing Requirement (c + d + e)	10,125	675
Housing Requirement (Rounded)	10,150	675

4.19. The Stockton Town Centre Uses sStudy (2016) considers the convenience and comparison retail needs of the Borough. Figures quoted in policy SD2 relate to the gross floorspace required to meet identified needs, including storage, staff and other areas. Comparison goods are retail items not bought on a frequent basis, for example televisions and white goods (fridges, dishwashers etc.) and convenience goods are those items bought for everyday needs such as food and other groceries, newspapers, drink and tobacco and chemists goods. The study identifies a need for up to 2,70950 sq m of new convenience retail floorspace by 2032, with the actual requirement dependent on the turnover of new facilities. In terms of comparison floorspace, there is a need up to 2021 for 4,500sq m of floorspace. Beyond this, up to 2026, there is a potential need for up to 33,000 sq m of comparison retail floorspace, subject to further evidence of the need in subsequent future town centre use capacity studies.

MM05	23/ 24	SD3	<ol style="list-style-type: none"> 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. <u>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.</u> 2. To ensure all housing needs are met the following are priorities for the Council: <ol style="list-style-type: none"> 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 and, <u>self-build and small and medium sized housing builders.</u> 3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through: <ol style="list-style-type: none"> a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (as identified on the policies map between A66 and Newport Bridge) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include: Boathouse Lane, Queens Park North, Victoria Estate, Tees Marshalling Yard and Land off Grangefield Road. b. Supporting <u>residential development on suitable sites</u> (including previously developed sites) within the conurbation as defined by the limits to development (unless allocated for another purpose) which comprises the main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm. c. Creating a Sustainable Urban Extension to West Stockton. d. Promoting major new residential development at Wynyard leading to the area becoming a sustainable settlement containing general market housing and areas of executive housing in a high-quality environment. e. <u>Supporting Residential development in villages (as shown on the policies map)</u> will be delivered through the recognition of existing commitments and new build infill development (within the limits to development) where it represents sustainable development and the land is not allocated for another purpose. 4. New dwellings within the countryside will not be supported unless they:
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			<p>a. Are essential for farming, forestry or the operation of a rural based enterprise; or</p> <p>b. Represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or</p> <p>c. Would re-use redundant or disused buildings and lead to an enhancement of the immediate setting; or</p> <p>d. <u>Are of an exceptional quality or innovative nature of design. Such a design should:</u></p> <p style="padding-left: 20px;">i. <u>be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;</u></p> <p style="padding-left: 20px;">ii. <u>reflect the highest standards in architecture;</u></p> <p style="padding-left: 20px;">iii. <u>significantly enhance its immediate setting; and</u></p> <p style="padding-left: 20px;">iv. <u>be sensitive to the defining characteristics of the local area.</u></p> <p>5. Residential development will be permitted in the vicinity of a hazardous installation only where there is no significant threat to public safety.</p> <p>6. The Council will continue to work with partners to bring empty homes back into use and identify areas for neighbourhood regeneration to provide wider benefits to local communities.</p> <p>7. Proposals for <u>all</u> domestic extensions will be supported where they are in keeping with the property and the street scene in terms of style, proportion and materials, and avoid significant loss of privacy and amenity for the residents of neighbouring properties.</p>
MM06	24	Para 4.25 – 4.26	<p>4.25. This approach supports development within the conurbation on suitable sites, in part, to support regeneration ambitions in close proximity to Stockton Town Centre. In addition to this the Council are proposing the delivery of a Sustainable Urban Extension (SUE) to West Stockton and residential expansion at Wynyard to create a sustainable settlement. This approach will ensure:</p> <ul style="list-style-type: none"> • A range and choice of sites is provided to meet housing needs. • Development is directed to the most sustainable locations. • Infrastructure improvements can be prioritised and delivered. <p>4.25a. <u>The approach to housing distribution within point 3 of the above policy is not a hierarchy</u></p>

and proposals for residential development within the limits to development will normally be supported in principle unless, for example, the land is allocated for another purpose.

4.25b. The boundary of the Regenerated River Tees Corridor is identified on the policies map; this area includes land in close proximity to the Stockton Town Centre including that to the south of the River Tees. Development within this area supports the re-use of previously developed land and has physical regeneration benefits. The area is a highly sustainable location where residents are in close proximity to services, facilities and employment, and have access to sustainable transport choices.

4.25c. The conurbation is defined by the limits to development which have been drawn to include all the main settlements within the borough; these being Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm. West Stockton Sustainable Urban Extension will form part of the conurbation and the limits to development have been drawn around the allocation accordingly.

4.25d. Wynyard Sustainable Settlement is defined by the limits to development which have been drawn around existing and proposed development. Development in the Wynyard area is also proposed within the Hartlepool Local Plan which will form part of the sustainable settlement to be created.

~~4.26 The strategy Local Plan does not propose allocations within the Borough's villages as the housing requirement can be delivered within the strategy identified within this policy, which has been identified as the most sustainable approach. However, the Local Plan new residential development will be delivered through existing commitments and other new build proposals which are supported within the limits to development recognises a number of extant planning permissions in the villages and that in-fill development within villages should be considered on a case-by-case basis.~~

4.26a. Point 4 of this policy sets out the exceptional circumstances when new residential development may be permitted in the countryside. The Countryside is defined on the policies map and includes all land located out with the limits to development.

4.26b. 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 seek to address any shortfall which depending on the scale and nature of potential under-delivery, may include one or more of the following:

			<ul style="list-style-type: none"> • <u>Investigate why commitments and allocations are not coming forward as anticipated and support interventions required to overcome delivery constraints and accelerating housing delivery;</u> • <u>Undertake masterplans (development framework documents or development briefs) and use other powers such as Compulsory Purchase orders to support housing delivery;</u> • <u>Draw on the Strategic Housing Land Availability Assessment (SHLAA) to identify deliverable sites which accord with the Housing Strategy to be brought forward; and / or;</u> • <u>Undertake a partial review of the Local Plan;</u> <p>4.26c. <u>A decision to undertake a partial review of the Local Plan will only be taken when it is considered that the other actions identified will not be sufficient to address any shortfall. Housing supply performance will be identified and annually updated as part of the SHLAA process and reported within the Authority Monitoring Report.</u></p> <p>4.26d Further information regarding the specific sites to meet the housing requirement, including village allocations, and the Council's approach to meeting specific housing needs can be found within section 5 'Housing'.</p>
MM07	2627	SD4	<p>14. Teesside Park and Portrack Lane are will continue to provide out of centre shopping destinationsprovision. New developments in these areas, <u>along with proposals in any other out-of-centre locations,</u> will be determined in accordance with the Sequential and Impact tests, as set out in EG3.</p> <p>15. <u>The use of upper floors above shops and commercial premises within town, district and local centres, particularly for residential purposes, will be encouraged where it does not detrimentally impact on the operation of the ground floor commercial use.</u></p> <p>16. Small scale convenience facilities which are intended to meet the needs of a neighbourhood will be permitted in suitable and available commercial premises in undesignated shopping parades, in accordance with policy EG6</p> <p>Sustainable tourism and the tranquil river corridor</p> <p>17. Support will be given to sustainable tourism proposals in the Borough's main town centres, tourist attractions, main parks and country parks, as well as enhancing the River Tees as a leisure, recreation and water sports destination. Out of centre</p>

			<p>proposals should be clearly related to activity in these areas and be of an appropriate scale, having regard to the intrinsic character of the countryside, in particular the desire to protect and enhance the tranquil River Tees, Leven and Bassleton Beck corridors as represented by the green wedge.</p> <p>18. The Council will support appropriate economic growth development within the countryside that cannot be located within the limits to development, or is of an appropriate scale and does not harm the character and appearance of the countryside; where it:</p> <ul style="list-style-type: none"> a. Is necessary for a farming or forestry operation; or b. Provides opportunities for farm diversification; or c. Provides opportunities for equestrian activity; or d. Is a tourism proposal requiring a rural location; or e. Is a site for other development that requires a rural location for technical or operational reasons. <u>new and existing land based rural businesses/enterprises.</u>
MM08	27/ 28	Para 4.30/ 4.31/ 4.39	<p>4.30. At the same time, development proposals must continue to work within the set environmental limits <u>affecting individual site development</u>, to ensure that industrial development and nature conservation objectives are delivered in tandem. A number of these sites are situated near to the Tees Estuary which may constrain development as it is an area identified <u>classified</u> as a Special Protection Area which due to the use by a number of internationally protected bird species is subject to a high level of protection.</p> <p>4.31. The Council, the Tees Valley Combined Authority, businesses and environmental stakeholders are working proactively to investigate opportunities for business expansion to take place whilst <u>safeguarding and, where possible, enhancing</u> the environment. Through this process the Council will aim to deliver the site allocations identified in policy EG4 and the policies <u>proposals</u> map, <u>while achieving the legal protection of the Teesmouth and Cleveland Coast SPA</u> without significant impact on the <u>wider</u> natural environment.</p> <p>4.39. A number of tourism uses, such as hotels and cultural facilities are also highlighted as main town centre uses in national planning policy. Policy SD4 recognises the definition and identifies the main centres in the Borough as locations for this use. Whilst most economic growth uses are situated within the main built up area, the Council recognises that opportunities exist for agricultural, leisure and recreation related economic growth in country parks, the countryside and the river corridor. At the same time the policy recognises the intrinsic value of the</p>

			<p>countryside and the character and appearance of the tranquil river corridor and that development in these areas must be appropriate in terms of scale and character, taking in to consideration the surrounding site context against other policies within this Local Plan.</p>
MM09	28, 29, 30,	Policy SD5	<p>Environment and Climate Change Strategy<u>Natural, Built and Historic Environment</u></p> <p>Policy SD5 – Environment and Climate Change Strategy<u>Natural, Built and Historic Environment</u></p> <p>To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:</p> <p>1. Conserve and enhance the natural, built and historic environment through a variety of methods including:</p> <ol style="list-style-type: none"> a. Ensuring that development proposals adhere with 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. Preserving the intrinsic value of the countryside by Supporting development of an appropriate scale <u>within the countryside</u> where it does not harm itsthe character and appearance of the countryside, and provides for sport and recreation or development requiring such a location as 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

			<p>provides development requiring such a location as identified within policies SD3 and SD4, and meets the following criteria:</p> <ul style="list-style-type: none"> a. The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding; b. Any alterations or extensions are limited in scale; c. The proposed use does not result in the fragmentation and/or severance of an agricultural land holding creating a non-viable agricultural unit; and d. Any associated outbuildings/structures are of an appropriate design and scale. <ul style="list-style-type: none"> i. <u>Considering development proposals within green wedges against policy ENV6</u>Protecting and enhancing the network of green wedges through the preservation of their open nature, green infrastructure benefits and the separation between built up areas to ensure local identity and character are preserved. j. <u>Ensuring development proposals are responsive to the landscape.</u>Protecting and enhancing valued urban and rural landscapes and areas of tranquillity. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough’s landscape, <u>unless the benefits of the development clearly outweigh landscape considerations. Landscape mitigation will be required where necessary.</u> Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.
MM10	31	Para 4.45 and 4.46	<p>4.45. The Borough is fortunate to have a number of areas of green space that extend from the countryside into the heart of the conurbation; many of these areas incorporate natural valleys associated with watercourses. These green wedges play an important role in maintaining <u>local character and the separate identity of built-up areas; this individual settlements through the prevention of coalescence</u> which is achieved, in part, through the <u>ensuring that development within this designation does not lead to the protection and enhancement of openness and physical or visual coalescence of built-up areas</u>separation. <u>Beyond this green wedges fulfil a range of other purposes including providing recreational opportunities and supporting ecological networks.</u> The Council consider green wedges to be an important policy designation and continue to support their identification between built-up areas. Development proposals within the green wedge will be considered in accordance with <u>policy ENV6.int ‘SD5 1.i.’</u> of the above policy; it is important to note that this policy does not preclude all development but ensure that any development does not lead to coalescence, preserves the open nature and green infrastructure</p>

			<p>benefits to ensure local identity and character are preserved.</p> <p>4.46. The Tees Lowlands National Character Area description, and the Stockton-on-Tees Landscape Character Assessment and Capacity Study (2011) provide the evidence base to consider proposals in landscape terms. The NPPF supports the protection and enhancement of valued landscapes and areas of tranquillity; strategic gaps, countryside, limits to development and green wedges <u>policies</u> assist in delivering this aim. Proposals within and adjacent to these designations should be designed to avoid impacts on areas within that have remained relatively undisturbed by noise and are prized for their recreational and amenity value.</p>
MM11	32	SD6	<p>Policy SD6 – Transport and Infrastructure Strategy</p> <ol style="list-style-type: none"> 1. To provide realistic alternatives to the private car, the Council will work with partners to deliver a sustainable transport network. This will be achieved through improvements to the public transport network, and routes for pedestrians, cyclists and other users, <u>and to local services, facilities and local amenities.</u> 2. To ensure the road network is safe and there are reliable journey times, the Council will prioritise and deliver targeted improvements at key points on the local road network and work in conjunction with Highways England to deliver improvements at priority strategic locations on the strategic road network. 3. The Council will work with partners to deliver community infrastructure within the neighbourhoods they serve. Priority will be given to the provision of facilities that contribute towards sustainable communities, in particular the growing populations at Ingleby Barwick, Yarm, Eaglescliffe, Wynyard <u>Sustainable Settlement</u> and West Stockton Sustainable Urban Extension. 4. To ensure residents needs for community infrastructure are met, <u>where the requirement is fully justified and necessary,</u> the Council will support planning applications which: <ol style="list-style-type: none"> a) Provide for the expansion and delivery of education and training facilities. b) Provide and improve health facilities. c) Provide opportunities to widen the Borough’s cultural, sport, recreation and leisure offer.

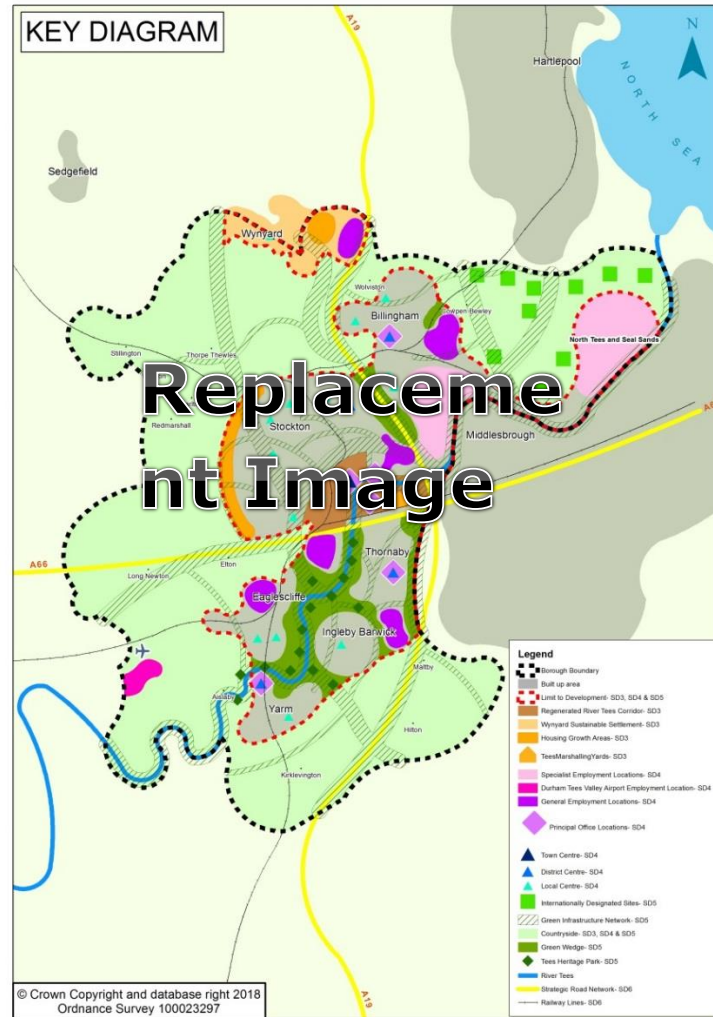
MM12	33	SD7	<p>Policy SD7- Infrastructure Delivery and Viability</p> <ol style="list-style-type: none"> 1. The Council will ensure appropriate infrastructure is delivered when it is required so it can support new development. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of infrastructure provision. The Council will also work together with other public sector organisations, within and beyond the Borough, to achieve funding for other necessary items of infrastructure. 2. New development will be required, where appropriate, to contribute to infrastructure provision to meet the impact of that growth through the use of planning obligations and other means including the Community Infrastructure Levy (CIL). Planning obligations will be sought where: 3. It is not possible to address unacceptable impacts through the use of a condition; and, 4. The contributions are: fair, reasonable, directly related to the development and necessary to make the application acceptable. <ol style="list-style-type: none"> <u>a. Necessary to make the development acceptable in planning terms;</u> <u>b. Directly related to the development; and</u> <u>c. Fairly and reasonably related in scale and kind to the development.</u> 5. Where the economic viability of a new development is such that it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it, applicants will need to provide robust evidence of the viability of the proposal to demonstrate this. In these circumstances, the Council may: 6. Enter negotiations with the applicant over a suitable contribution towards the infrastructure costs of the proposed development, whilst continuing to enable viable and sustainable development; and/or 7. Consider alternative phasing, through the development period, of any contributions where to do so would sufficiently improve the economic viability of the scheme to enable payment. 8. When determining the contributions required, consideration will be given to the application's overall conformity with the presumption in favour of sustainable development.
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MM13	34	Para 4.62	<p>4.62 There will be instances when an applicant considers that costs towards infrastructure would render a development financially unviable - taking into consideration the costs of the development itself, the return that it could generate, and the alternative returns available to an investor. In these cases, it will be necessary for the Council to have a full understanding of the developments viability. Therefore, where a scheme is considered by an applicant to be unviable the Council require the applicant to provide viability evidence through an open book approach to enable a thorough understanding, scrutiny and verification.</p>
MM14	34/ 35	SD8	<p>Policy SD8 – Sustainable Design Principles</p> <p>1. The Council will seek new development to be designed to the highest possible standard, taking in to consideration the context of the surrounding area and <u>the need to responding positively to the:</u></p> <ul style="list-style-type: none"> 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 <u>all existing residents and future occupants of land and buildings;</u> f. Existing transport network and <u>the need to provide safe and satisfactory access and parking for all modes of transport; and</u> g. <u>Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and</u> gh. <u>Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.</u> <p>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.</p>

			<p>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 principles, or any other appropriate design standards.</p> <p>4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.</p> <p>5. New commercial development will be expected to provide appropriately designed signage and shop fronts.</p>
MM15	35	Para 4.66	<p>4.66. Development should provide an acceptable level of amenity for future users and be of a scale and type that is in keeping with its surroundings. It should not adversely affect the amenity of the occupiers of neighbouring properties, through, for example, loss of privacy, overshadowing, vibration, or pollution (including light, noise, fumes and waste).</p> <p><u>4.66a. As well as guiding the design of new build development, this policy also applies to proposals for the conversion of buildings and for the sub-division of residential properties, amongst other things. Of key importance is that the sub-division of premises does not individually or cumulatively lead to a negative impact on the living conditions of neighbouring residents, and that the internal layout of the accommodation should also be sensitively designed to ensure that occupants have sufficient living space which is sensibly arranged to avoid disturbance to existing residents and future occupants.</u></p>

MM16	36/ 37	Para 4.71	<p>Revision of Key Diagram to include annotation of 'North Tees and Seal Sands Area' and to clarify the policies (SD3 and SD5) relevant to the 'countryside' area.</p> <p>© Crown Copyright and database right 2017 Ordnance Survey 100023297</p>

KEY DIAGRAM



- Legend**
- Through Boundary
 - Built up area
 - Limit to Development- SD3, SD4 & SD5
 - Regenerated River Tees Corridor- SD3
 - Wryford Sustainable Settlement- SD3
 - Housing Growth Areas- SD3
 - Tees Marshalling Yards- SD3
 - Specialist Employment Locations- SD4
 - Durham Tees Valley Airport Employment Location- SD4
 - General Employment Locations- SD4
 - Principal Office Locations- SD4
 - Town Centre- SD4
 - District Centre- SD4
 - Local Centre- SD4
 - Internationally Designated Sites- SD5
 - Green Infrastructure Network- SD5
 - Countryside- SD3, SD4 & SD5
 - Green Wedge- SD5
 - Tees Heritage Park- SD5
 - River Tees
 - Strategic Road Network- SD6
 - Railway Lines- SD6

MM17	41/ 43	H1	<p>1. To deliver the housing requirement and to maintain a rolling five year supply of deliverable housing land, the Council have re-affirm commitments and allocated sites identified within this policy. The majority of the new homes will be delivered through existing re-affirmed commitments (sites with planning permission identified within point 2) with the remainder of new homes being delivered through allocations (identified within point 3) at:</p> <p>a) Various sites within the Regenerated River Tees Corridor. b) Various sites within the conurbation. c) West Stockton Sustainable strategie Urban Extension. d) Wynyard Sustainable Settlement.</p> <p>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.</p> <p>COMMITMENTS</p> <p>2. Residential development is proposed at the following main sites, which benefit from planning permission. These sites planning commitments are re-affirmed for residential development <u>as illustrated on the policies map</u>:</p> <table border="1" data-bbox="618 938 1812 1351"> <thead> <tr> <th colspan="2">Site Location/Name</th> <th>Area (ha)</th> <th>Total Dwellings (approx)</th> <th>Remaining Supply at April 2018</th> </tr> </thead> <tbody> <tr> <td colspan="5">Regenerated River Tees Corridor</td> </tr> <tr> <td>R1</td> <td>North Shore Home Zone (Phase 3)</td> <td>1.9</td> <td>82</td> <td>7782</td> </tr> <tr> <td>R2</td> <td>Navigation Way</td> <td>3.9</td> <td>150</td> <td>150</td> </tr> <tr> <td>R3</td> <td>Parkfield and Mill Lane Regeneration Scheme</td> <td>3.3</td> <td>117</td> <td>52</td> </tr> </tbody> </table>	Site Location/Name		Area (ha)	Total Dwellings (approx)	Remaining Supply at April 2018	Regenerated River Tees Corridor					R1	North Shore Home Zone (Phase 3)	1.9	82	7782	R2	Navigation Way	3.9	150	150	R3	Parkfield and Mill Lane Regeneration Scheme	3.3	117	52
Site Location/Name		Area (ha)	Total Dwellings (approx)	Remaining Supply at April 2018																								
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R3	Parkfield and Mill Lane Regeneration Scheme	3.3	117	52																								

R4	Former Visqueen Site	15.8	480	211
R5	Alma House	0.62	34	34
R6	Parkin Street	0.2	43	43
Eaglescliffe				
E1	Urlay Nook	6.8	145	3397
E2	Allens West	40.9	845	845
E3	West Acres	2.6	81	3862
E4	Hunters Rest Farm	6.5	130	130
E54	South of Urlay Nook Road	2.022 0.2	23	23
Ingleby Barwick				
IB1	The Rings	19	48079	367458
IB2	Sandhill	7	138	10675
IB3	Little Maltby Farm, Low Lane	35	115570	1085119
IB4	Blair Avenue	0.9	40	40
IB5	Roundhill Avenue	4.3	65	65
IB6	Betty's Close Farm	2.1	17	16
IB7	Lowfield	4.2	66	66
Stockton				
S1	Summerville Farm	17	34050	34050
S2	Corus Pipe Mill	7.9	31122	85134
S3	Former Visqueen Site	15.8	480	278
S4	Land at Raleigh Road	0.3	11	11

S35	Norton Park Regeneration Scheme	4.4	174	<u>76109</u>
S6	Kingfisher Way	1.4	37	37
S7	Bowesfield	6	150	150
S8	Parkfield and Mill Lane Regeneration Scheme	3.3	117	99
S9	Parkin Street	0.2	43	43
S10 4	Former Blakeston School	3.3	<u>80</u>	<u>80</u>
S5	<u>South of Junction Road</u>	<u>3.9</u>	<u>96</u>	<u>96</u>
S11	Former Roseworth Public House	0.2	12	12
Thornaby				
T1	Land South of Cayton Drive	1.6	45	45
Yarm				
Y1	Morley Carr Farm	22.2	350	<u>243199</u>
Y2	Tall Trees	16.3	288	<u>23071</u>
Y3	Land South of Green Lane	16	3574	<u>210339</u>
Y4	Mount Leven & Land off Busby Way	28.63 <u>0</u>	332346	332346
Y5	Land off Busby Way	1.2	14	14
Y56	Land South of Yarm School Playing Fields	10.5	100	100
Wynyard				
W1	Land at Wynyard Village	82.6	500	500
W2	Wellington Drive	21	44	44
Village Sites				

V1	Jasper Grove, Stillington	1.7	554	554
V2	Stillington Social Club, Stillington	0.7	20	20
V23	South Avenue, Stillington	1.1	39	39
V34	Kirk Hill (Phase 1), Carlton	32.0	361	236
V5	Kirk Hill (phase 2), Carlton	1.0	25	25
V46	Land South of Kirklevington	10.8	145	145
V5	Land West Of St Martins Way, Kirklevington	5.6	90	90
V67	Jasmine Fields, Kirklevington	1.3	19	19
V78	Thorpe Beck Farm, Thorpe Thewles	1.4	24	24
V8	Land North of Thorpe Thewles	3.1	40	40

REGENERATED RIVER TEES CORRIDOR AND CONURBATION ALLOCATIONS

3. The following sites within the Regenerated River Tees Corridor and conurbation are allocated for housing development as illustrated on the policies proposals map:

REGENERATED RIVER TEES CORRIDOR

	Site Name	Area (ha)	Dwellings (approx)
1	Boathouse Lane	6.9	350
2	Tees Marshalling Yard	34.5	1,100
13	Victoria Estate	5.1	210
24	Queens Park North	13.315.3	400
5	Alma House	0.62	34
36	Land off Grangefield Road	1920	6500
4	Yarm Road*	1.1	30

4. The Council will also support residential-led regeneration proposals for approximately 1,100 dwellings at Tees fmg Yard (34ha).

CONURBATION ALLOCATIONS

5. The following sites within the conurbation are allocated for housing development as illustrated on the policies map.

	Site Name	Area (ha)	Dwellings (approx)
7	Yarm Road*	1.1	30
8	South of Junction Road*	3.9	100
19	Darlington Back Lane*	1	25
210	Former Billingham Campus School Site*	10.9	150
3	Bowesfield	6.5	150
4	Kingfisher Way	1.4	37
511	South of Kingfisher Way, Bowesfield	0.5	20
612	Magister Road, Thornaby	0.6	20
713	Eaglescliffe Golf Course**	8.9	150

*** These sites are currently identified as playing fields and any proposals will be considered in accordance with policy TI2. Should alternative provision not be secured through TI2 and it becomes apparent that these sites have not become surplus to requirements as playing fields the Council will work with relevant stakeholders to take appropriate action.**

**** Residential development at Eaglescliffe Golf Course H1(5.7) shall not commence until a remodelled golf course has been delivered on land south of the existing course.**

WEST STOCKTON SUSTAINABLESTRATEGIC URBAN EXTENSION

4.6. Land is allocated and land reservedsafeguarded for the following number of dwellings at West Stockton Sustainablestrategie Urban Extension (SUE):

Site Name		Area (ha)	Dwellings (approx)
a.	West Stockton SUE 'Allocated Land' Yarm Back Lane	115.246	2,150-2,599
b.	Harrowgate Lane	69.2	1,291
be.	West Stockton SUE Harrowgate Lane Safeguarded 'Reserve Land'	19.6	400 (approx)

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

WYNYARD SUSTAINABLE SETTLEMENT

6.8. In addition to the commitments at Wynyard (see point 2), land is also allocated at Wynyard as follows:

Site Name	Area (ha)	Dwellings (approx)
Wynyard Park	66.16	1,100

7.9. Further policy regarding Wynyard Sustainable Settlement is provided within policy H3.

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

MM18	43/45	Para 5.1 to 5.5	5.1 To ensure the housing requirement is met and a five year supply of deliverable housing land is maintained, the Council are required to identify sufficient sites within the Local Plan. Alongside re-affirming commitments, the Council have allocated sites identified within the Strategic Housing Land Availability Assessment (SHLAA) which will deliver over the plan period to 2032. The Council will work closely with the Tees Valley Combined Authority and other stakeholders to support housing delivery aspirations on identified sites. Whilst numerous sites have been identified within the Regenerated River Tees Corridor and wider conurbation this is not sufficient
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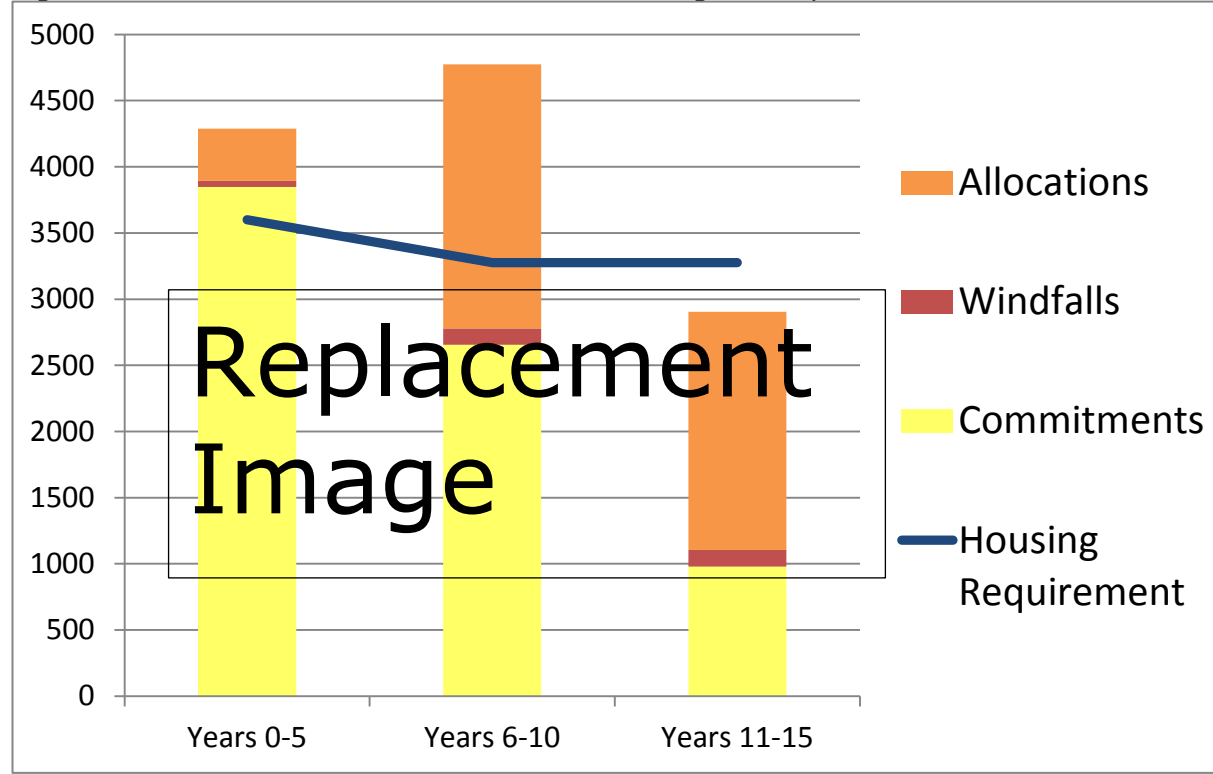
		<p>to meet the housing requirement and the Council have identified West Stockton Sustainable Strategic Urban Extension (SUE) and Wynyard Sustainable Settlement as areas of housing growth.</p> <p>5.1a <u>Where planning permissions on re-affirmed sites lapse, or where revised proposals come forward, the principle of residential development will continue to be supported in accordance with policy H1, subject to compliance with other relevant Local Plan policies.</u></p> <p>5.2. <u>Allocated land at</u> the West Stockton SUE totals 2,150 new homes. In addition to this, there is the potential for additional homes on an area of <u>reserve land</u> safeguarded in this policy, as well as the potential to increase the number of homes across the <u>allocated land</u> site which is currently limited by the capacity of the highway network. Policy H2 provides further policy and detail on this strategic site.</p> <p>5.3. <u>Within Stockton on Tees Borough proposed development at Wynyard Sustainable Settlement totals 1,644 dwellings, which includes housing commitments at Wynyard Village (544 dwellings) and an allocation for 1,100 dwellings at Wynyard Park which had previously been allocated for employment use. Policy H3 provides further policy and detail regarding Wynyard Sustainable Settlement. In addition, approximately 1,000 dwellings will be delivered in the part of Wynyard in Hartlepool Borough, including 732 dwellings allocated in the Hartlepool Local Plan and sites with planning permission.</u></p> <p>5.4. Planning permissions have been granted at West Stockton SUE and the Wynyard Park allocation; in order to avoid confusion these permissions have been absorbed within the wider allocations for the purposes of this policy.</p> <p>5.5. It is likely that other housing sites will come forward over the plan period. These are referred to as windfall sites. All sites (windfalls, allocations and re-affirmed commitments) will be considered and infrastructure required in accordance with the requirements of policies SD7 and SD8 and other Local Plan policies as relevant.</p>
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MM19

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Figure 9 & 10

Figure 9: Publication-Local Plan: Sources of housing delivery



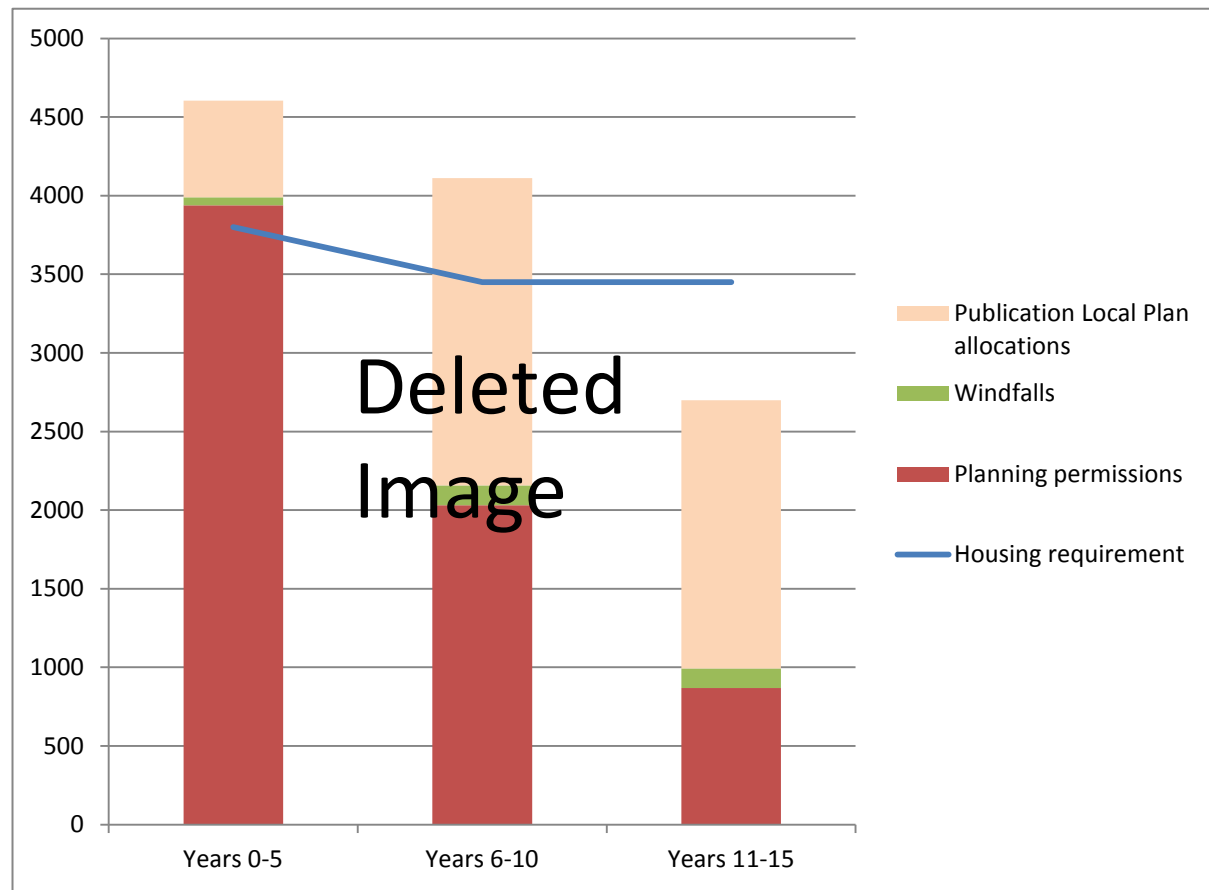
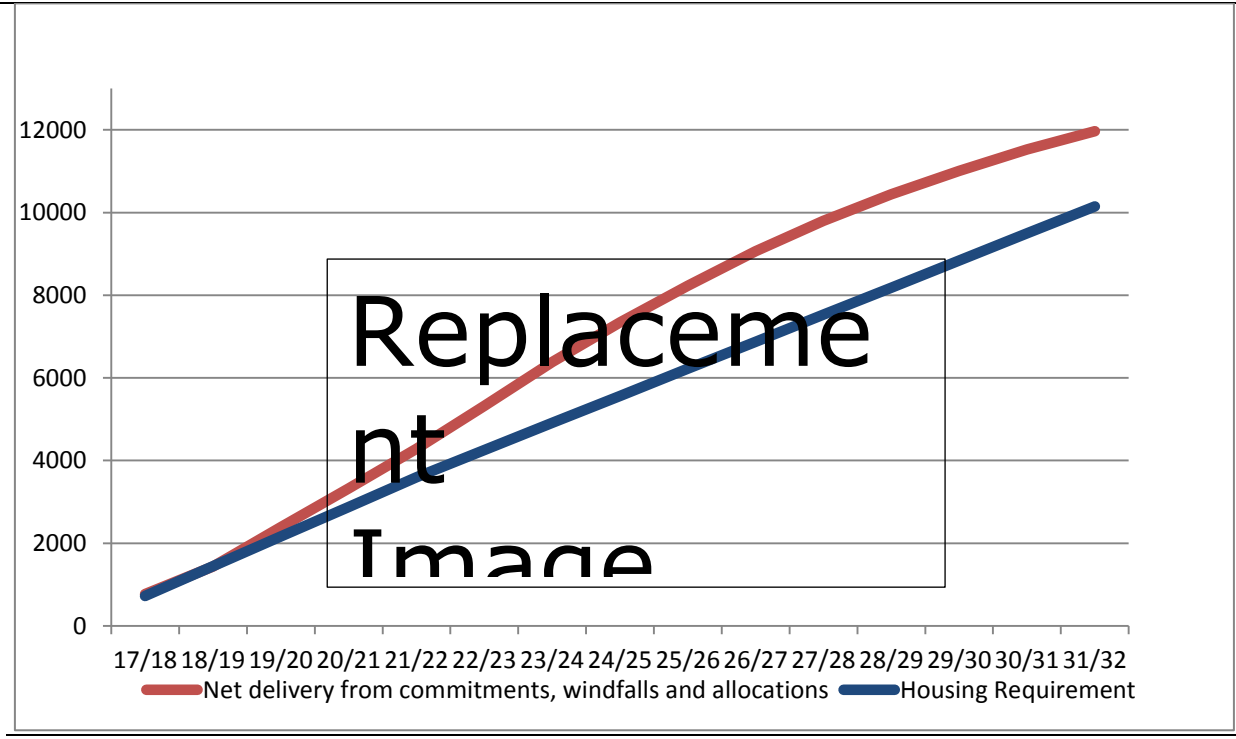
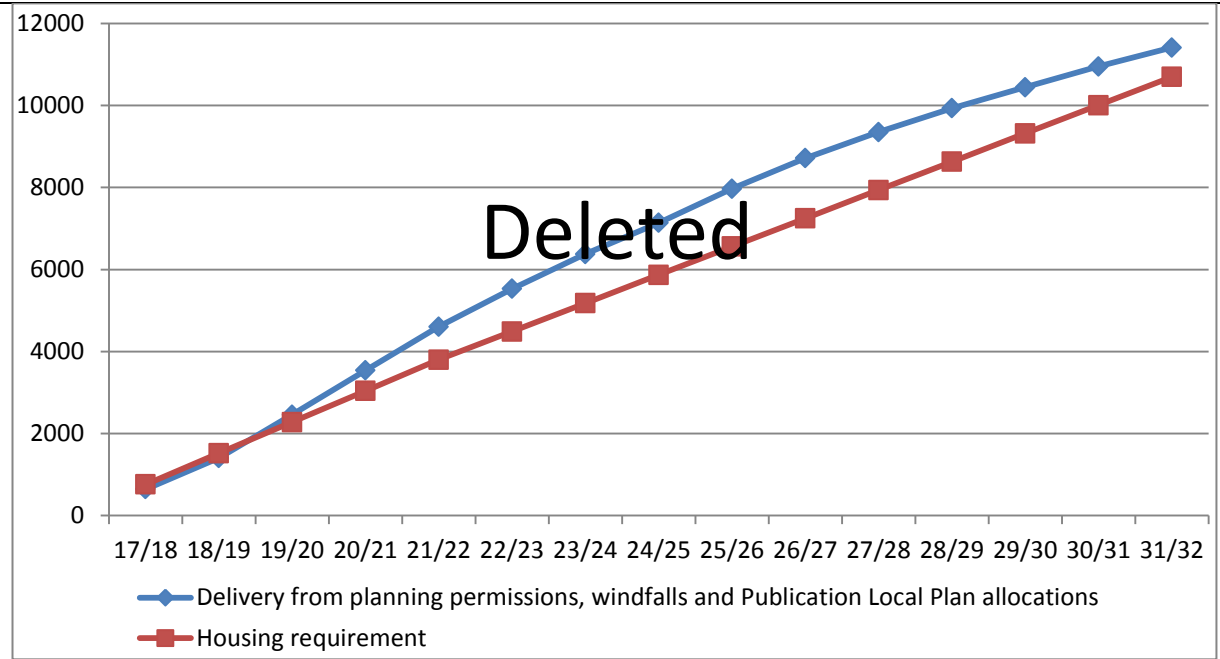


Figure 10- Publication Local Plan: Cumulative housing delivery





MM19
a

43/
49

Para 5.7 to
5.21

5.7 As demonstrated within figure 10, allocations and re-affirmed commitments are anticipated to deliver more housing than the identified housing requirement. This is considered appropriate as there is a necessity to ensure that there is flexibility and the housing requirement is met alongside the maintenance of a rolling five year supply of deliverable housing land. ~~The information used to calculate figures 9 and 10 are those published within the 2017 SHLAA which details the Councils latest position, at the time of writing, in relation to housing delivery and five year supply of deliverable housing land.~~ The Council will update the SHLAA on an annual basis to monitor housing delivery.

5.9. The total number of dwellings set out in this policy will not align with the housing requirement because some sites will likely deliver beyond the plan period and this policy does not identify a number of small sites which provide a supply of new homes. In the interests of clarity, the committed sites element of the policy provides the total number of dwellings

permitted on these sites, alongside the total remaining dwelling supply at 1st April 2018~~7~~, with the difference between the two figures being homes which have been built prior to April 2018~~7~~.

~~5.10. If it becomes apparent at any point that a five year supply cannot be evidenced, we will work with developers and land owners to bring forward additional sites, provided that it can be demonstrated that development would make a significant contribution to reducing the supply deficit, the development would constitute sustainable development and that delivery on other sites would not be compromised as a result.~~

Housing allocations and playing fields

5.10.a. A number of allocations within the Local Plan are on land identified as playing fields. These sites are Yarm Road H1(3.4), Darlington Back Lane (5.1) and Former Billingham Campus School Site (5.2). Planning applications at these sites will be considered in accordance with policy TI2.

5.10.b. The building block of the Stockton-on-Tees Playing Pitch Strategy (PPS) 2015 is a migration to artificial grass pitches (AGPs) which aligns with the Sport England and Football Association Parklife programme which aims to create a sustainable model for football facilities based around AGPs on hub sites. It is anticipated that through migration the sites allocated will become surplus to requirements as playing fields and therefore available for residential development.

5.10.c. The Council will prepare a Local Football Facilities Plan (LFFP) with the Football Association and Sport England. The LFFP will identify actions to facilitate migration to AGPs. The Council will work alongside The Football Association, Sport England and other relevant stakeholders to monitor the implementation of the PPS Action Plan and the LFFP. Should it become apparent that allocated sites have not become surplus to requirements as expected, and alternative provision has not been secured through Policy TI2, the Council will undertake appropriate action as necessary. Such actions may include:

- the identification and subsequent delivery of sites for replacement provision
- the undertaking and implementation of an update to the LFFP (such an update would review actions identified in the adopted LFFP to promote migration and identify new actions amongst other things)
- Drawing on the Strategic Housing Land Availability Assessment (SHLAA) to identify deliverable sites to be brought forward which accord with the housing strategy; and
- Where necessary, undertaking a partial review of the Local Plan. A decision to

undertake a partial review of the Local Plan to review the housing allocations will only be taken when it is considered that the identified actions have not addressed the remaining need for playing pitch provision.

Indicative Site Delivery

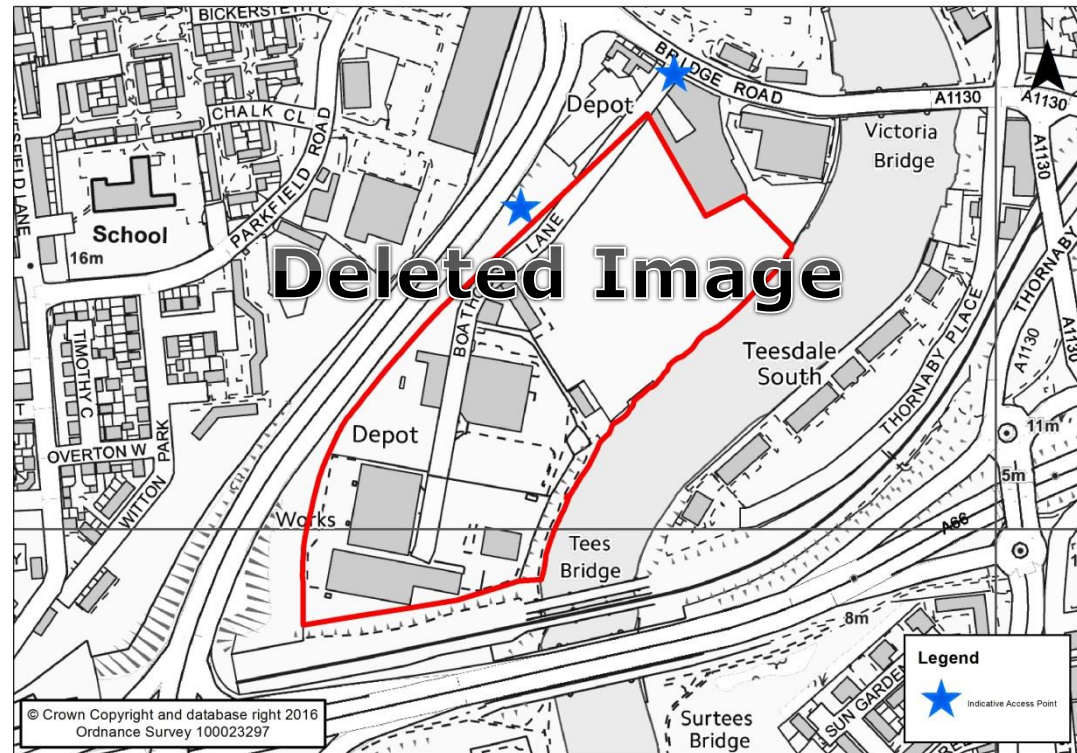
5.11. The key development considerations and maps provided below show potential access and green infrastructure design solutions (with maps being indicative in nature). They are intended to assist and guide proposals to ensure they accord with wider policies within this Local Plan. To guide the delivery of allocations it is important to give an indication of potential access and green infrastructure design solutions. Maps provided are indicative and for guidance. However, where sites are particularly constrained the indicative maps are likely to provide the main workable solutions.

Boathouse Lane H1(3.1)

5.12. This key regeneration gateway site is in close proximity to Stockton Town Centre. The key development considerations include:

- Principal access to be taken from a junction on Bridge Road.
- A new secondary left in/left out junction arrangement from the 1825 Way.
- Flood risk issues to be addressed through a site specific Flood Risk Assessment informed by the SFRA.
- Development to provide an active frontage to the River Tees.
- A cycleway/footway between Tees Bridge and Victoria Bridge on the western bank of the River Tees (see policy TI1).
- A sensitively designed scheme will be required which avoids harm to and maximises enhancements to the significance of Stockton Town Centre Conservation Area and other heritage assets within the vicinity of the site.

Figure 11 — Boathouse Lane



Tees Marshalling Yard – H1(3.2)

5.13. Previous regeneration initiatives and strategies identified the 'urban core' of Middlesbrough and Stockton as the main focus for new housing and recreation development. Central to this ambition was the Tees Marshalling Yard site which has operated as a railway marshalling yard for over 100 hundred years. Due to rationalisation of the yards the opportunity to introduce new residential development in the area was identified.

5.14. Tees Marshalling Yard has numerous deliverability constraints associated with remediation and infrastructure delivery. Whilst the site is not required by the Council to meet the housing requirements over the plan period, the Council continue to support the aspiration of residential led regeneration at this location, which will assist in boosting housing supply should development be achieved within the plan period. The delivery of this site in a highly sustainable location may

also reduce the need to release greenfield sites in future plan periods.

Victoria Estate- H1(3.13)

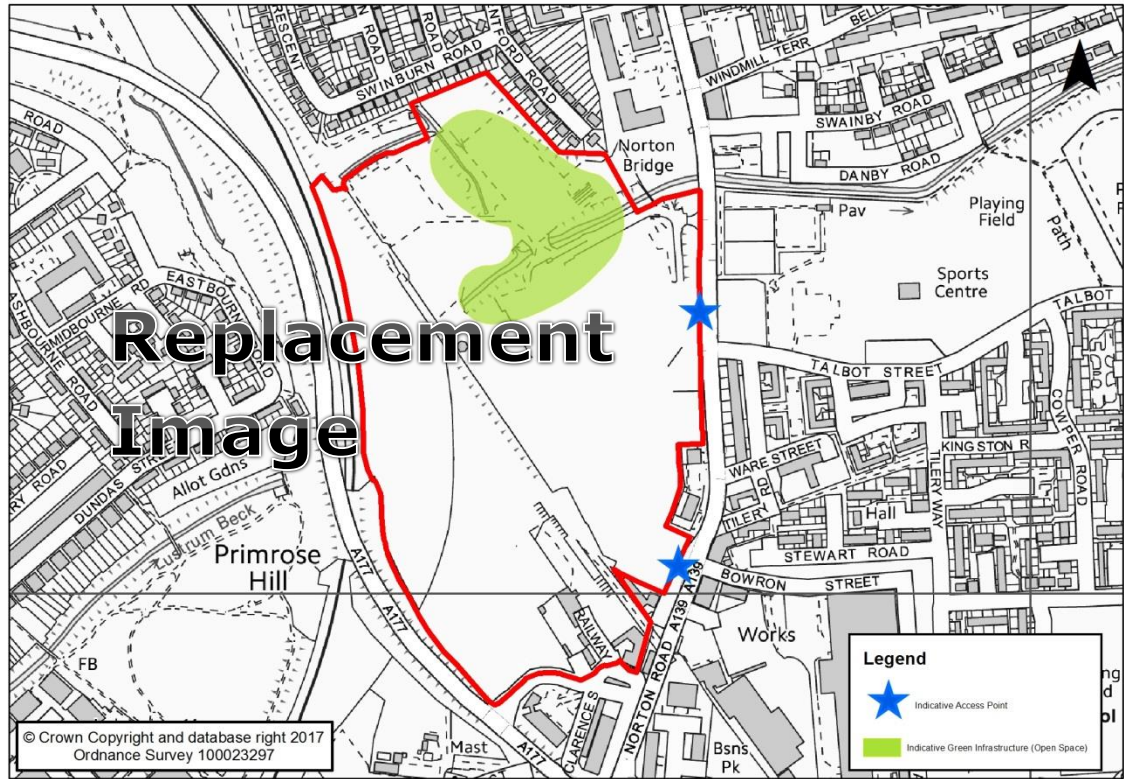
5.15. The Council has an ambition to deliver housing-led regeneration at Victoria Estate. A concept master-planning has been prepared for the site~~exercise is underway which will guide development proposals at this location, which will require a~~ sensitively designed scheme which preserves or avoids harm to and maximises enhancements to the significance of the Town Centre Conservation Area and conserves its individual heritage assets in a manner appropriate to their significance will be required.

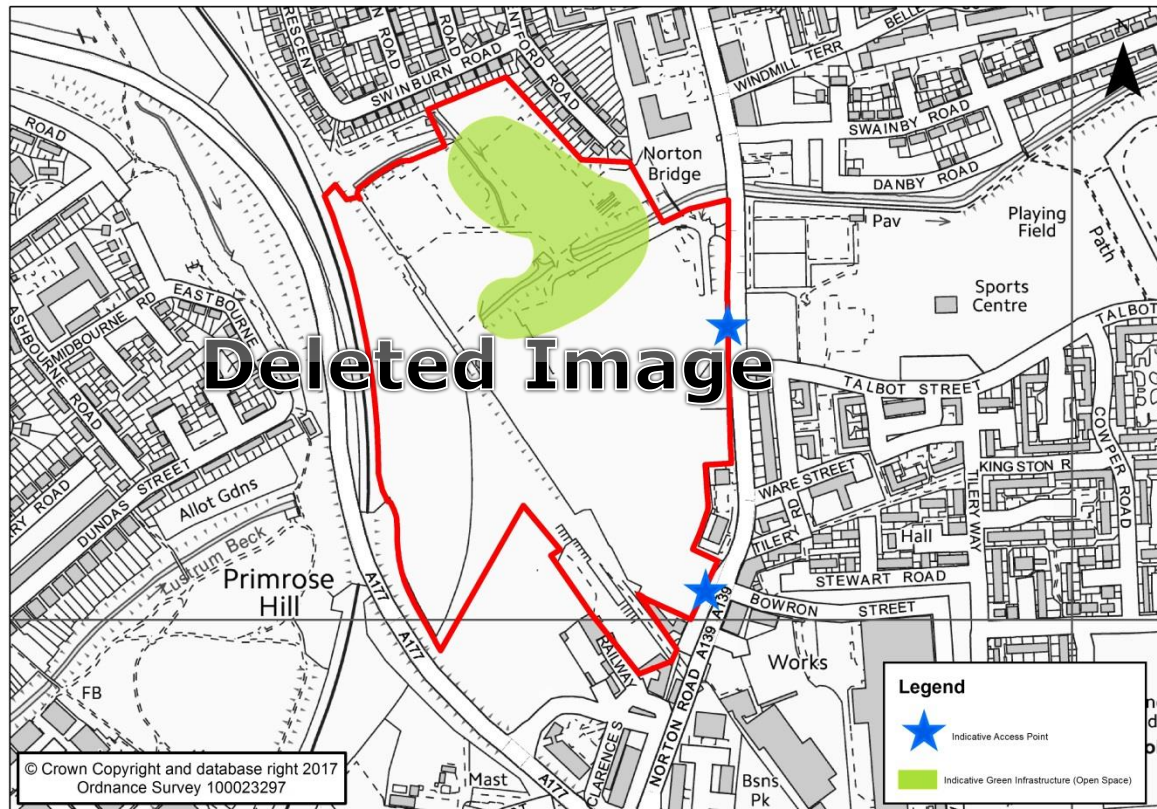
Queens Park North- H1(3.24)

5.16. A strategic site on a principal road into Stockton Town Centre. New development at this location has an important role to play in enhancing the street scheme along Norton Road. The key development considerations include:

- Access points from Norton Road. It is acknowledged that the site is in separate ownerships and whilst an access point can also be achieved onto the A177 via Railway Street/Richmond Street a comprehensive development which provides integrated linkages is encouraged.
- Potential strategic open space (incorporating ecological enhancements) to the north east of the site. This space could have an important role to play in creating sustainable drainage solutions in this area which is identified as being at flood risk from Lustrum Beck.
- The continuation and improvement of the cycleway/footpath network from Great North Park through the allocation to the link with the signalised pedestrian crossing on the A177.

Figure 12 – Queens Park North





Land off Grange Road H1(3.36)

5.17. The site, which was until recently used for scrap metal processing, totals circa 1920ha being situated in close proximity to Stockton Town Centre. Works ~~have been~~ are undertaken to clear the site and make it available for redevelopment. Masterplanning of the site will be necessary with key considerations being:

- Remediation owing to the former use of the site.
- Primary access to be taken from Grange Road.
- Improvements to connections to Stockton High Street (via Dovecot Street).

- Strategically planned green infrastructure.

Yarm Road- H1(3.4)

5.17.a.. Key considerations for the development of the site include:

- Access to be taken from Yarm Road.
- Provision of an attractive route through the development to open space to the east.
- Ground investigation and subsequent remediation if required.

Tees Marshalling Yard- H1(4)

5.17.b. Previous regeneration initiatives and strategies identified the 'urban core' of Middlesbrough and Stockton as the main focus for new housing and recreation development. Central to this ambition was the Tees Marshalling Yard site which has operated as a railway marshalling yard for over 100 hundred years. Due to rationalisation of the yards the opportunity to introduce new residential development in the area was identified.

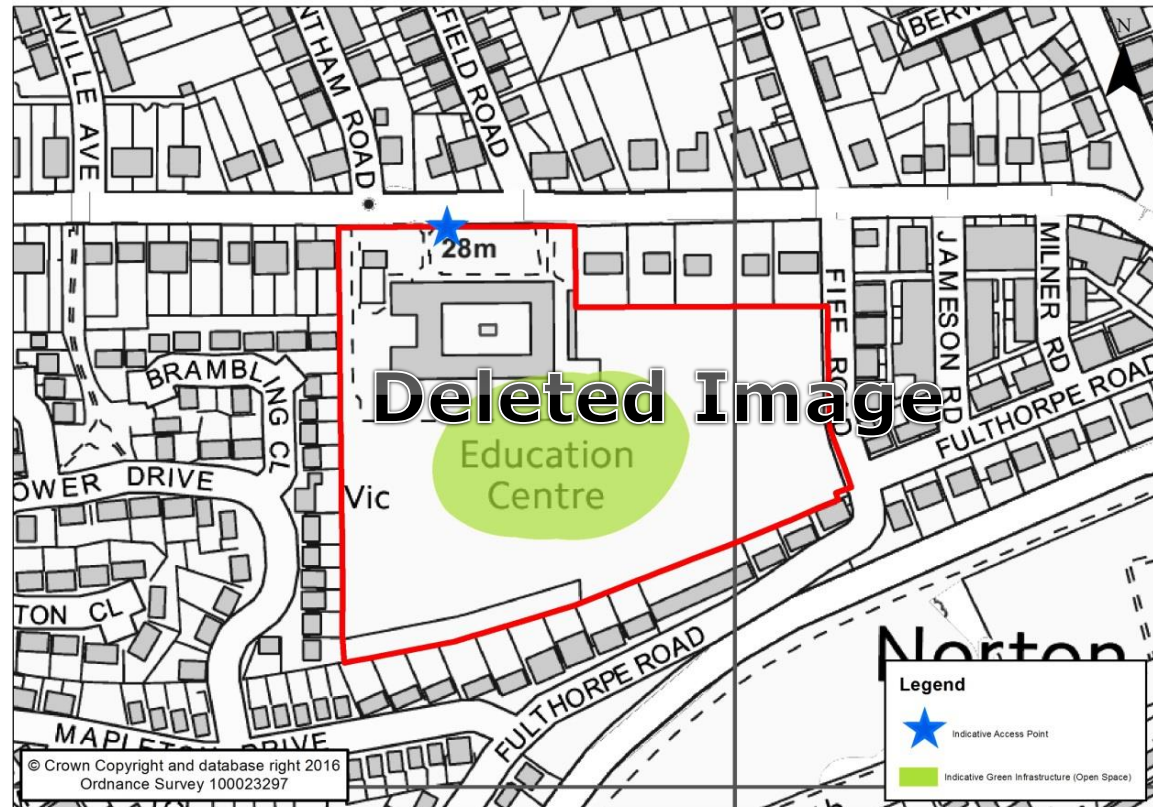
5.17.c Tees Marshalling Yard has numerous deliverability constraints associated with remediation and infrastructure delivery. Whilst the site is not required by the Council to meet the housing requirements over the plan period, the Council continue to support the aspiration of residential led regeneration at this location, which will assist in boosting housing supply should development be achieved within the plan period. The delivery of this site in a highly sustainable location may also reduce the need to release greenfield sites in future plan periods.

South of Junction Road- H1(3.8)

~~5.18. This site creates the opportunity to deliver a high quality development which delivers a substantial and usable open space for use by the local community. Key considerations include:-~~

- ~~• Principal access to be achieved from Junction Road.~~
- ~~• Potential to provide a strategic open space/village green within the centre of the development.~~

Figure 13 - South of Junction Road



Darlington Back Lane- H1(5.1)

Key considerations for the development of the site include:

- Access to be taken from Darlington Back Lane
- Qualitative improvements to the adjacent open space

Former Billingham Campus School Site- H1(3.105.2)

5.19. This site is a longer-term aspiration. The Council will progress master planning to determine the extent of developable land and design/layout of development. Principle access will

likely be achieved via Neasham Avenue. An indicative yield of 150 units has been identified.

Bowesfield- H1(5.3), Kingfisher Way- H1(5.4) and South of Kingfisher Way- H1(5.5)

5.19.a. The Bowesfield area has developed as a mixed use location adjacent to the River Tees. These three housing allocations represent opportunities for residential development which will complete the development of the Bowesfield area. All of the sites will be accessed from the existing road network within the Bowesfield area with allocation H1(5.3) providing a highways link through the site from Cygnet Drive to Bowesfield Crescent.

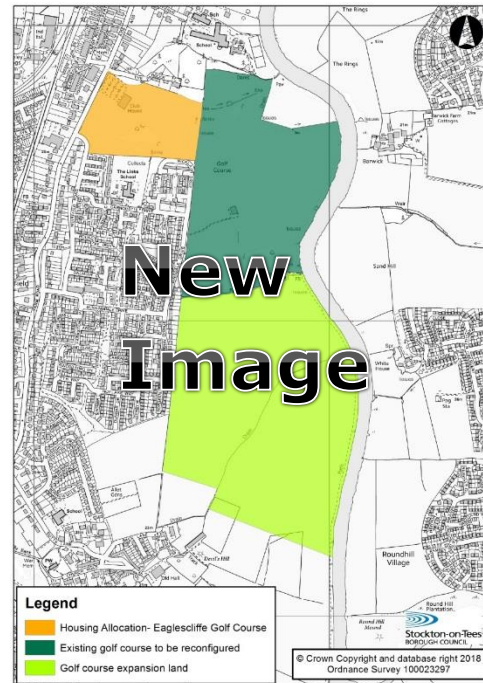
Magister Road- H1(5.6)

5.19.b. The site is located within an existing residential area being accessed via Magister Road. Development should be designed to respond appropriately to surrounding residential development.

Eaglescliffe Golf Club H1(5.73-13)

5.20. The site provides the opportunity to deliver an indicative yield of 150 dwellings on part of the existing golf course. Development on the site will be dependent on appropriate highway and landscape mitigation including, but not necessarily limited to, the creation of a new protected right turn access from the A135 Yarm Road to serve both the reconfigured golf course and the allocated residential development. The development will depend on surplus land being made available at the golf course through remodelling of the existing course and expansion on to farmland to the south of the existing facility (as shown in Figure 14 below), which will need to be implemented prior to commencement of housing development.

Figure 14 – Eaglescliffe Golf Club (housing allocation, existing course to be reconfigured and expansion land)



Remaining allocations within the Regenerated River Tees Corridor and Conurbation

5.21 These sites are smaller allocations which have not been subject to planning applications or masterplanning activity. A number of housing allocations are located on playing field sites; these sites are Yarm Road H1(3.7), South of Junction Road H1(3.8) and Darlington Back Lane H1(3.9); proposals at these sites will be considered against policy TI2.

MM20

49

Policy H2

Policy H2 – West Stockton Sustainable Strategic Urban Extension

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

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

- 1. Approximately 2,550 new homes (including 2,150 homes on allocated land and 400**

homes on the 'reserve land').

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

Each phase of development, or proposals for each Development Zone as illustrated on Figure 15, must contribute equitably to the delivery of the SUE including all necessary services, facilities and planning obligations. On the allocated land one planning application will be supported per Development Zone unless it can be demonstrated

		<p><u>that shared infrastructure can be delivered by an alternative method that will not prejudice the delivery of the SUE.</u></p> <p><u>11.All development proposals must be planned and implemented in a coordinated manner in accordance with an agreed phasing and delivery schedule for each phase or Development Zone which shall provide for:</u></p> <ul style="list-style-type: none"><u>a) An equal distribution of the 2,150 new homes on the allocated land based on the land area of each application;</u><u>b) Contributions towards shared infrastructure on a proportionate basis per new dwelling proposed; and</u><u>c) Where it is necessary for individual applications to provide increased contributions to frontload the delivery of infrastructure, a mechanism to ensure that contributions are recouped from later phases of development to ensure each application has contributed proportionately to the delivery of the SUE;</u> <p><u>12.Development proposals which come forward prior to, or without an agreed phasing and delivery schedule for each phase or Development Zone will be refused.</u></p> <p><u>13.Until significant improvements have been made to Elton Interchange (above those identified in point 4 above):</u></p> <ul style="list-style-type: none"><u>a) no residential development will be permitted on the 'reserve land'; and</u><u>b) the number of new homes on allocated land will be restricted to 2,150 unless it can be demonstrated in highways terms that additional homes can be provided without prejudicing the ability for the wider allocated land to deliver homes in accordance with the equal distribution detailed within point 11(a) of this policy.</u> <p><u>14.Any proposals for residential development on the 'reserve land', or additional dwellings on the allocated land, must accord with other Local Plan Policies and demonstrate that the development can be accommodated without prejudicing the safe and efficient operation of the highway network or the equitable delivery of the SUE.</u></p> <p><u>1. The West Stockton Strategic Urban Extension covers approximately 135 hectares. Development, including apportionment of residential units, and infrastructure requirements will be designed and delivered in accordance with the Yarm Back</u></p>
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			<p>Lane and Harrowgate Lane Masterplan:</p> <p>2. Until significant improvements have been made to Elton Interchange (above those identified in the masterplan):</p> <p>a) dwelling numbers above those allocated in policy H1 (and identified in the masterplan) will be restricted; and</p> <p>b) no residential development will be permitted on safeguarded land;</p> <p>3. The main shared infrastructure requirements identified within the Yarm Back Lane and Harrowgate Lane Masterplan are as follows:</p> <p>a) Community Hub incorporating:</p> <p>a. Primary school;</p> <p>b. Community centre;</p> <p>c. A shopping parade providing opportunities for small scale town centre uses, as identified in policy EG6;</p> <p>b) Highway junction improvements at the following locations:</p> <p>a. Elton Interchange;</p> <p>b. Darlington Back Lane and Yarm Back Lane;</p> <p>c. Horse and Jockey Roundabout (Durham Road, Junction Road and Harrowgate Lane);</p> <p>d. Harrowgate Lane and Leam Lane;</p> <p>4. Contributions towards shared infrastructure will be made on a proportionate basis by allocated dwellings. Dwellings proposed above the figures allocated or on safeguarded land will be required to mitigate the impacts of development in accordance with policy SD7 and other relevant Local Plan policies;</p> <p>5. Development will enhance Castle Eden Walkway and avoid harm to and maximise enhancements to the significance of heritage assets;</p>
MM21	49/50	Para 5.24 to 5.30	<p>5.24. The Council have worked in collaboration with the Advisory Team for Large Applications (ATLAS), landowners, developers and agents to bring forward coordinated housing development and associated infrastructure at the West Stockton SUE. The Yarm Back Lane and Harrowgate Lane Masterplan (2015) has been adopted by the Council and is to be used in the preparation and determination of planning applications to guide development and the delivery of infrastructure. <u>Included within</u>As part of the masterplan <u>is a Strategic Framework Plan (SFP)</u>was prepared (figure 14); which is the culmination of a design evolution process and details the best</p>

shared infrastructure requirements and it will be necessary for proportionate contributions to be made towards them.

- **Community hub-** to provide shopping, service and community facilities (including a community centre) of a scale which meet the day-to-day needs of future occupiers. The community hub is to be delivered at the southern element of the Harrowgate Lane component of the SUE (Zone D).
- **Primary school-** 2 ½ form school (incorporating a pre-school/nursery) the design of which will facilitate the upgrading to a 3 form school should this be required at a later date. The primary school will be located to the northern element of the Yarm Back Lane component of the SUE (Zone E)
- **Highways junction improvements-** at the locations detailed within point 4 of policy

5.26. Highways junction improvements have been identified at the main junctions (see point 4 of this policy) based on extensive modelling of the impacts of development. One of these junctions is the Horse and Jockey Roundabout (the junction of Durham Road, Junction Road and Harrowgate Lane). The Summerville Farm site H1(2,S1) requires improvements to this junction but development of the SUE requires further mitigation at this junction.

5.26.a The highways network is the limiting factor to total achievable housing numbers at the SUE. Highways modelling has confirmed that until significant improvements are made to the A66 junction at Elton Interchange, (above those identified in point 4 of this policy (which involve improvements to the A66 eastbound on slip and westbound off slip, and replacement of the dumbbell roundabouts with signalised junctions the masterplan) the maximum quantum of housing that can be delivered at the SUE is 2,150 homes (859 Yarm Back Lane and 1,291 at Harrowgate Lane).

5.27. These significant improvements at Elton Interchange are reliant upon interventions from Highways England but would release further highway capacity allowing for increased housing numbers across the SUE and delivery of the safeguarded reserve land, subject to wider infrastructure improvements.

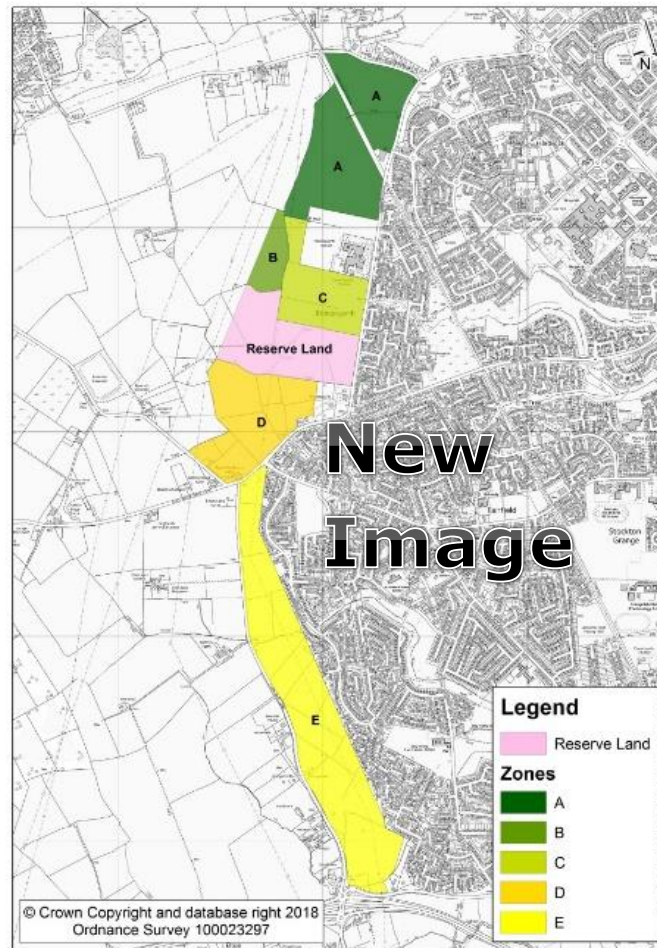
5.27.a. As a strategic site the SUE will deliver a broad range of house types, sizes and tenures in accordance with policy H4.

5.27.b. The provision of green infrastructure and open space is to be made in accordance with ENV6. The SFP provides an indication of the likely location for the provision of green

infrastructure and open space linked to existing features such as watercourses and the principles of providing a green edge to the development. The SFP also identifies the potential for the provision of a 'village green' associated with the community hub as well as a series of 'pocket parks' across the site; such areas are important for recreation and community interaction close to where people live.

5.27.c. Within the site there are five Development Zones and the Council expect Design Codes for each detailing important design elements such as the proposed feature street, community hub, strategic SuDS and green infrastructure network. A design code is a technical document providing detailed guidance on aspects of design which provides a quality benchmark that developers are expected to adhere to. They are a particularly useful tool for ensuring that there is a consistent approach and that quality standards are maintained in instances like the SUE where multiple house builders are expected to be involved in the development. Design Codes could form part of a design and access statement.

Figure 15.a: Development Zones



5.27.d. The provision of a clearly defined street hierarchy with active frontages and attendant character definition is vitally important as part of the place making agenda for the SUE. The SFP identifies the provision of a 'feature street' which would run as a spine through the SUE providing a unifying element from which the secondary street hierarchy will flow.

5.27.e. The linear nature of the development means that north-south links within and to the western extent of the SUE are important; a key element of this will be the provision of a safe crossing point between the southern element of the Harrowgate Lane site (Zone D) and Yarm Back Lane (Zone E). It is equally important to ensure the SUE is physically integrated with infrastructure within the existing settlement; as such east-west connections will be necessary. Castle Eden Walkway crosses the Harrowgate Lane component of the SUE; this is an important component of the green infrastructure network providing access by sustainable means to the existing settlement and recreational opportunities to the north; appropriate connections will need to be made to Castle Eden Walkway and the route enhanced.

5.28. The SFP masterplan for the SUE has been prepared to ensure the allocated land at Harrowgate Lane element of the SUE can be delivered independently of the 'reserve safeguarded land' through the delivery of an 'enhanced pedestrian link' along Harrowgate Lane which ensures services and facilities can be accessed via sustainable means. However, it is essential that proposals to the north and south of the 'reserve land' provide a layout which facilitates the future delivery of the 'reserve land' allowing it to integrate into the wider street hierarchy, accessible routes and green infrastructure, whilst ensuring that appropriate linkages into this land are provided so that it can be delivered at a later date to complete the SUE.

5.28.a. Within and adjacent to the SUE are a number of heritage assets including the Grade II listed Grassy Nook Farm, a World War II Pillbox and Castle Eden Walkway. There are opportunities to support the interpretation of the World War II Pillbox and the historical railway significance of Castle Eden Walkway.

5.28.b. Each phase of development, or proposals for each Development Zone will be required to contribute equitably to the delivery of the SUE. It will be necessary for all development proposals to be planned and implemented in accordance with a phasing and delivery schedule which is to be agreed with the Council for each phase or Development Zone. The phasing and delivery schedules are required to provide for an equal distribution of homes on allocated land, proportionate contributions to shared infrastructure and a mechanism for recouping contributions from later phases of development where it is necessary to frontload the delivery of infrastructure. To ensure the delivery of shared infrastructure, and having regard to pooling restrictions in the CIL Regulations, the Council will expect one planning application per Development Zone. However, the policy is also flexible to allow for more than one application per zone where it can be demonstrated that the necessary infrastructure can be delivered and proposals would not prejudice delivery of the SUE.

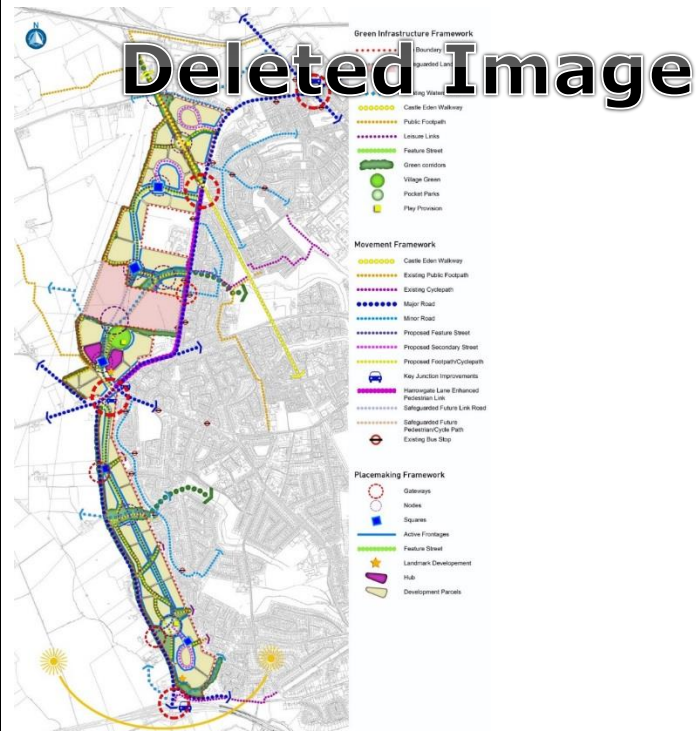
5.28.c. The equal distribution of homes across allocated land based on the land area of each application is necessary owing to the identified highway constraint at Elton Interchange. Without such an approach the viability of later phases of development could be undermined jeopardised through increased densities in the early phases of development; this would compromise the delivery of the SUE as a whole.

5.28.d. Policy provides flexibility to allow for the delivery of additional homes on allocated land, in advance of significant improvements to Elton Interchange, should it be demonstrated in highways terms these additional homes can be provided without prejudicing the ability for the wider allocated land to deliver homes in accordance with the equal distribution of the 2,150 homes allocated.

~~5.29. The Summerville Farm commitment requires improvements to the Horse and Jockey Roundabout (junction of Durham Road, Junction Road and Harrowgate Lane). Development of the wider SUE will require further mitigation at this junction to mitigate the impacts of development.~~

~~5.30. Castle Eden Walkway is an important recreational route and forms an integral part of the green infrastructure network; as the walkway crosses the allocation there are opportunities to enhance this route and provide interpretation of its historical railway significance. Within the site there is opportunity to support the interpretation of the a World War II Pillbox and it will be important to ensure development avoids harm to and if possible enhance the significance of the adjacent Grade II listed Grassy Nook Farm.~~

Figure 14 — West Stockton Sustainable Urban Extension Strategic Framework Plan



MM22

52

Policy H3.

Policy H3 – Wynyard Sustainable Settlement

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

- 1. Deliver approximately 1,644 new dwellings within Stockton on Tees Borough, with 544 dwellings at Wynyard Village (Policy H1.2.W1 and H1.2.W2) and approximately 1,100 dwellings (Policy H1.7) on Wynyard Park.**
- 2. Provide education facilities, including the delivery of a primary school within Wynyard Village.**
- 3. Provide community infrastructure of an appropriate scale to meet the day to day needs of Wynyard residents.**

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| | | <p><u>4. Deliver the following highway junction improvements:</u></p> <ul style="list-style-type: none"><u>a. Signalisation of roundabout junctions on the A689 at Wynyard Avenue; The Wynd / Hanzard Drive; and The Wynd / The Meadows, to deliver sites with planning permission as identified in H3.1.</u><u>b. Works to the A689/A19 interchange which are required for the development of the remaining allocated land at Wynyard Park (Policy H1.7).</u> <p><u>5. Provide a range of homes in accordance with policy H4, with the exception of:</u></p> <ul style="list-style-type: none"><u>• Wynyard Village (Policy H1.2.W1) which will provide an executive housing offer, with off-site affordable housing.</u><u>• Wellington Drive (Policy H1.2.W2) which will provide executive housing in a low density setting, with off-site affordable housing, as well as opportunities for enhancement of the associated golf course and delivery of a five star hotel.</u> <p><u>6. Provide green infrastructure and open space in accordance with ENV6.</u></p> <p><u>7. Identify a clearly defined street hierarchy and accessible, convenient and safe routes for pedestrians, cyclists and other uses, this will include:</u></p> <ul style="list-style-type: none"><u>a. The provision of routes for pedestrian and cycle movement within the Wynyard area, including the pedestrian and cycleway bridge over the A689 along the route safeguarded within policy T1.</u><u>b. Improved linkages to the conurbation, including a pedestrian and cycleway along the existing public rights of way to Wynyard Road along the route safeguarded within policy T1.</u><u>c. Improved linkages to Castle Eden Walkway and Wynyard Woodland Park.</u><u>d. Where appropriate, connections to development located within Hartlepool Borough.</u> <p><u>8. Utilise Design Codes detailing important design elements for the development to ensure a consistent approach to quality standards.</u></p> <p><u>9. Avoid unacceptable harm to and maximise possible enhancements to the significance of heritage assets. Development must be designed to ensure that the significance of Wynyard Park Registered Park and Garden and other heritage assets is not harmed and where possible enhanced.</u></p> <p><u>10. Recognise and respect the unique character of Wynyard Village which is defined by its layout, leisure offer and low density executive housing.</u></p> |
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11. Create a community at Wynyard Park with its own identity and sense of place which responds appropriately to local patterns of development and green infrastructure.

Development of allocated land at Wynyard Park, and any significant further growth in housing numbers on planning commitments, must be implemented in a coordinated and timely manner in accordance with an Infrastructure Phasing and Delivery schedule as part of a masterplan for the Wynyard area. The following approach will be taken to the delivery of infrastructure:

12. Where required, contributions towards the shared infrastructure required to deliver a sustainable community at Wynyard Park (Policy H1.7) shall be made on a proportionate basis per home taking in to account further residential growth in Hartlepool Borough.

13. The Council will work proactively with developers to identify and agree reasonable triggers for the delivery of key infrastructure which allows development to progress whilst the impact of the development is appropriately mitigated.

~~1. A masterplanning approach is being undertaken to deliver a sustainable settlement at Wynyard; this will be achieved through reaffirming housing commitments, allocating land for housing and delivering necessary infrastructure. As a strategic cross boundary issue, the Council will work alongside Hartlepool Council to ensure that infrastructure is provided to ensure growth proposed within both authorities can be delivered.~~

~~2. Development will be delivered in accordance with the emerging masterplan.~~

~~3. Improvements to the A689 and A19 will be required. The full nature of these will be identified as part of the emerging masterplan.~~

~~4. To deliver a sustainable community, it is essential that both sides of the A689 are linked by a safe, sustainable footway and cycleway, connected to the existing rights of way network. Development will be required to deliver this along the route safeguarded within policy T1.~~

~~5. Within each housing development the following infrastructure will be provided:~~

~~a) Land at Wynyard Village:~~

~~a. Primary school.~~

~~b. A shopping parade providing small scale opportunities for town centre uses, as identified in policy EG6.~~

~~c. Green infrastructure, including appropriate links to Wynyard Woodland Park~~

			<p>and the Castle Eden Walkway.</p> <p>b) Wynyard Park:</p> <p>a. Green infrastructure.</p> <p>b. Any further infrastructure identified within the emerging masterplan.</p> <p>6. The planning commitment at Wellington Drive will provide high quality executive housing in a low density setting. Development proposals will also provide opportunities for enhancement of the associated golf course and delivery of a five star hotel.</p> <p>7. Development proposals within Wynyard Village will only be supported where it respects the unique character of the settlement which is defined by its layout, leisure offer and low density executive housing.</p> <p>14. Development must be designed to ensure that the significance of Wynyard Park Registered Park and Garden and other heritage assets is not harmed and where possible enhanced. Development will also enhance Castle Eden Walkway.</p>
MM23	52/ 53	Para 5.31 to 5.36	<p>5.31. Housing development at Wynyard has historically been to the south of the A689 <u>at Wynyard Village</u> with prestigious employment land provision to the north of the A689 <u>at what is now known as Wynyard Park</u>. However, in recent years housing development has been permitted in both Stockton and Hartlepool to the north of the A689 <u>at Wynyard Park</u>. In these instances both local authorities worked in collaboration and with ATLAS to enable a number of planning permissions to be granted for new homes in the area. This includes a substantial commitment for 500 homes to the west of Wynyard Village; this is a reaffirmed commitment within the plan under policy H1(2,W1).</p> <p>5.32. There is an opportunity to create a sustainable settlement in the Wynyard area, which seeks to balance employment, residential and community infrastructure. Working alongside Hartlepool Borough Council, landowners and developers, the Council wish to seize this opportunity to drive economic growth and support housing delivery. <u>The Local Plan therefore recognises commitments and allocates sites which total approximately 1,650 dwellings, alongside approximately 1,000 dwellings identified in Hartlepool Borough.</u> To deliver this and ensure the co-ordinated delivery of infrastructure (including community infrastructure) a master-planning process has begun. This will assist in defining the requirements for infrastructure delivery. An allocation at Wynyard Park of 1,100 homes has been identified; this is based on available land</p>

~~and is inclusive of the housing yields associated with existing commitments –on land covered by the allocation which are currently under development.~~

5.33. A necessity of creating a sustainable settlement will be the provision of infrastructure which meets resident's needs for community infrastructure either within the settlement (where demand exists to support such infrastructure) or outside of the settlement via sustainable means. The provision of sustainable transport options will be essential to delivering a sustainable settlement. A key element of the sustainable transport network will be linking the communities to the north and south of the A689; it is considered that this can best be achieved by a bridge over the road. Wider linkages will also be required to extend cycleway linkages to connect with the network at Wynyard Road.

5.33a. Additional education, convenience and community facilities will also be required to meet the needs of local residents and development proposals will be required to deliver these facilities. The Wynyard masterplan will detail the extent and broad location of additional facilities required, however, a primary school and shopping parade (incorporating relevant services and small scale facilities) have already been secured are also required to meet some of the education and shopping needs of the growing population in the area, whilst provision of additional community facilities has also been identified within Hartlepool Borough.

5.34. Notwithstanding the above, further infrastructure needs may also be identified during the production of the Wynyard Masterplan and will be required to enable sustainable growth in the area. Highway modelling work has identified that in order to deliver new development in Wynyard, a number of improvements are required to key junctions on the A19(T) and A689, these include:

- Signalisation of roundabout junctions on the A689;
- Widening of the northern carriageway on the roundabout at the junction of the A689 and A19; and
- Pedestrian and cycleway bridge over the A19(T).

5.34a. The Council requires a broad mix of house types across the Wynyard area, but recognises the specific offer which exists at Wynyard Village for executive housing. Development will also be required to deliver affordable housing contributions, however, whilst it will be appropriate to deliver affordable housing on-site at Wynyard Park, the Council will seek off-site contributions for developments in Wynyard village which are focused primarily on executive housing.

5.35. In addition to recognising housing growth to the west of Wynyard Village and north of the

			<p>A689 at Wynyard Park, this policy also reaffirms a planning commitment at Wellington Drive. This permission allowed 44 low density executive homes in an attractive setting. Delivery of these homes is linked to the provision of a 5-star golf hotel at Wynyard Golf Club, which would not only support the aspiration to achieve destination status for the Golf Club, but would also provide facilities for the local Wynyard community.</p> <p>5.36. Wynyard Village is located adjacent to Wynyard Hall with its Park registered park and garden. It is essential that development at this location responds positively <u>to and draws inspiration from the registered park and garden</u> to this and associated heritage assets to ensure that enhancements to their significance are maximised. It will be important to ensure that development proposals respect the unique character of the settlement. Like the West Stockton Urban Extension, Wynyard is situated adjacent to the Castle Eden Walkway; development proposals to the west of the settlement, in particular detailed planning applications related to commitments in this plan, will be required to avoid harm to and enhance this strategic green infrastructure asset.</p> <p>5.36.a. <u>The Council will work with stakeholders, including Hartlepool Borough Council and Highways England to identify the relevant infrastructure required to deliver sustainable development across the Wynyard area. This will involve the production of an Infrastructure Phasing and Delivery Schedule which ensures that new development is supported by the necessary infrastructure which is delivered when required.</u></p>
MM24	53/ 55.	H4	<p>Policy H4 – Meeting Housing Needs</p> <p>1. <u>Sustainable residential</u> To ensure new development delivers homes that meet the needs and aspirations of 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, <u>the Council will give significant weight to the most up-to-date evidence, including housing needs and demand, having regard to the Strategic Housing Market Assessment, its successor documents or appropriate supporting documents</u> local housing market conditions, when determining applications.</p> <p>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.</p>

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| | | <p>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. A mix of affordable housing for ownership, rent and intermediate housing, based on the most up to date evidence of local need, as well as the Governments expectation that 10% of new homes will be affordable home ownership products.</p> <p>4. <u>Where an applicant considers that the provision/delivery of affordable housing is not 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 above, robust justification is required and the proposal will be considered in accordance with policy SD7.</u></p> <p>4.5. <u>Affordable housing will normally be provided on-site as part of, and integrated within housing development to help deliver balanced communities. ThisUnless the nature of affordable provision requires a different approach this should be distributed across sites in small clusters of dwellings. Off-site affordable housing or a commuted sum will only be acceptable where:</u></p> <ul style="list-style-type: none"> a. All options for securing on-site provision of affordable housing have been explored and exhausted; or b. <u>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;</u> 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 the Council considers off-site provision is more appropriate to be preferable to than on-site provision. <p>5.6. <u>Where off-site affordable housing provision or a commuted sum is to be considered acceptable, the amount will be equivalent in value to that which would have been viable if the provision was made on-site. Where a commuted sum is considered acceptable it will be equivalent to that which would have been viable on-site and calculated with regard to in accordance with the Affordable Housing Supplementary Planning Document 8 or any successor.</u></p> <p>6.7. <u>The Council will support proposals for specialist housing, including extra care</u></p> |
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and supported housing to meet identified needs. Accommodation will seek to deliver and promote independent living.

~~7.8.~~ Extensions to dwellings to provide accommodation for dependent relatives will be supported where they are designed to be used as part of the main dwelling when no longer required for that purpose.

~~8.9.~~ To ensure that new 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. For new housing developments, excluding low-rise non-lift serviced flats, 60%–50% of new homes to meet Building Regulation M4 (2) “Category 2 – accessible and adaptable dwellings”.~~

~~b. All specialist housing for older people to aim to meet building regulation M4 (3) (2) (b).~~

~~e.b. 87% of new dwellings homes 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. Where there is no specific need identified, then M4 (3) (2) (a) will apply, to allow simple adaptation of the dwelling to meet the future needs of wheelchair users.~~

~~9.10.~~ To widen the overall housing offer, the Council will support the delivery of custom and self-build housing. The Council will:

a. Regularly monitor the demand for custom and self-build housing and assist in facilitating the delivery of land/sites, where appropriate.

b. Encourage applicants to consider incorporating plots for custom and self-build housing within larger housing developments.

~~10.11.~~ Planning applications for student accommodation in the Regenerated River Tees Corridor will be required to demonstrate they are compatible with the wider ~~social and economic~~ regeneration of the area objectives, and are conveniently located for

~~access to the relevant education establishments and local facilities. In all cases proposals for student accommodation will be designed to ensure that they are in keeping with the character and appearance of the area in which they are located, do not have an unacceptable impact on the living conditions of neighbouring communities, provide an adequate standard of living accommodation for potential future occupants and have~~Proposals will be designed with an internal layout which is adaptable to alternative residential uses.

~~11.12.~~To ensure the existing residential areas remain sustainable places to live the Council will:

- c. Actively seek to bring long-term empty homes back into use.
- d. Improve the condition of existing homes through the delivery of schemes, including those to enhance energy efficiency.
- e. Explore options with local communities for the regeneration of residential areas. This may include:
 - i. The renovation and renewal or demolition and redevelopment of existing housing stock as appropriate to meet local housing need and aspirations.
 - ii. Public realm improvements.

~~12.13.~~Support is given to the completion of the Parkfield/Mill Lane Regeneration Scheme- H1(2.R358).

~~13.~~The Council will require allocations to deliver a suitable range and mix of house types, which are appropriate to their location and housing needs. The following significant allocations will deliver a mix of house types as specified below:

Site Name	House Type
Boathouse Lane H1(3.1)	Range of house types with a presumption towards apartments/townhouses
Queens Park North H1(3.4)	Full Range of House Types
West Stockton Sustainable Urban Extension H1(4)	Full Range of House Types

			<table border="1"> <tr> <td>Wynyard Park- H1(6)</td> <td>Full Range of House Types</td> </tr> <tr> <td>Yarm Road</td> <td>Full Range of House Types</td> </tr> </table> <p>14. At the following specific re-affirmed commitments, the Council require the delivery of the following mix of house types through the current planning permission or any subsequent application.</p> <table border="1"> <thead> <tr> <th>Site Name</th> <th>House Type</th> </tr> </thead> <tbody> <tr> <td>Allens West- H1(2.E2)</td> <td>Full Range of House Types</td> </tr> <tr> <td>Mount Leven- H1(2.Y4)</td> <td>Housing specific to meeting the needs of the ageing population</td> </tr> <tr> <td>Land at Wynyard Village- H1(2.W1)</td> <td>Executive Housing</td> </tr> <tr> <td>Wellington Drive- H1(2.W2)</td> <td>Executive Housing</td> </tr> <tr> <td>Betty's Close Farm- H1(2.IB6)</td> <td>Custom and self-build housing</td> </tr> <tr> <td>Lowfield- H1(2,IB7)</td> <td>Custom and self-build housing</td> </tr> </tbody> </table>	Wynyard Park- H1(6)	Full Range of House Types	Yarm Road	Full Range of House Types	Site Name	House Type	Allens West- H1(2.E2)	Full Range of House Types	Mount Leven- H1(2.Y4)	Housing specific to meeting the needs of the ageing population	Land at Wynyard Village- H1(2.W1)	Executive Housing	Wellington Drive- H1(2.W2)	Executive Housing	Betty's Close Farm- H1(2.IB6)	Custom and self-build housing	Lowfield- H1(2,IB7)	Custom and self-build housing
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MM25	55/57	Para 5.37 to 5.48.	<p>5.37. This policy deals with the Council's approach to meeting housing needs and aspirations of communities, including the identification of sites which will deliver housing to meet identified needs.</p> <p>5.38. The NPPF requires the Council to "Plan for a mix of housing to meet the needs of the community, including families with children, older people and people with disabilities." <u>While the Council's current evidence of the need and demand of dwelling types and tenures in the borough is detailed in A starting point for this is ensuring that a range of house types and sizes is provided as part of new development within appropriate tenures. The Stockton-on-Tees Strategic Housing Market Assessment (SHMA) 2016 there may be other acceptable sources of evidence. Such information may include updates to the SHMA, come from local needs surveys carried out by housing providers or market housebuilders, or from other strategies such as updates to the Tees Valley Strategic Needs Assessment, provides the most up to date evidence of housing need in the Borough.</u></p> <p>5.38.a The SHMA identifies a need for market housing focused heavily towards the provision of 3 bedroom homes followed by the provision of 2 and 4 bedroom homes. With regards to affordable</p>																		

housing the SHMA 2016 identifies that priority should be towards the delivery of 2 and 3 bedroom homes at a mix of 70% affordable rented and 30% intermediate tenures.

Figure 16 – Dwelling sizes need by tenure (source SHMA 2016)

House Type	Bedrooms	Market %	Affordable %
Flat	1 bedroom	1.8	2.9
	2+ bedrooms	0.0	5.7
House	2 bedrooms	17.9	34.3
	3 bedrooms	64.3	45.7
	4 bedrooms	14.3	11.4
	5+ bedrooms	1.8	

5.39. The approach to housing densities is to ensure that they respect local character and distinctiveness. Higher densities will be supported in areas with particularly high levels of public transport accessibility, such as Stockton, Billingham and Thornaby town centres.

5.40 Affordable housing provides opportunities for people to access housing where they would not otherwise be able to do so and assists with reducing homelessness and overcrowding. The SHMA identified an affordable housing requirement for the Borough for the period 2017/18 to 2031/32. This identified a need for 3,635 dwellings over the period, a total of 240 households per year, equating to 39.9% of the OAN (2017/18 to 2031/32).

5.40.a. Currently affordable housing is delivered within the Borough by Registered Housing Providers and private developers. The Council are acutely aware of the need for affordable housing and its delivery are actively exploring ways in which to promote its delivery, in accordance with national planning policy and legislation will be monitored through the Authorities Monitoring Report. The Council will undertake measures to promote the delivery of an affordable housing. These measures, as identified within the Stockton-on-Tees Housing Strategy 2018-23, include:

- Increase the number of new affordable homes delivered in the Borough through effective engagement with Registered Provider partners and by maximising inward investment via the Homes England Affordable Shared Ownership and Affordable Homes Programme (SOAHP).
- Support the delivery of a broad range of affordable housing through the use of S106

contributions and other funding opportunities.

- Identify and explore opportunities to use council owned assets to support the delivery of affordable homes.

5.41. ~~Ensuring an appropriate range of types, sizes and tenures of affordable housing is delivered as part of new developments is fundamental to meeting affordable housing needs. When affordable housing is required as part of new development it will meet the current affordable housing mix (and house sizes detailed above), identified in the SHMA, of 70% affordable rented and 30% intermediate tenures as well as the Government's stated intention that 10% of all new dwellings should be affordable home ownership products unless justification is provided identifying that it would be unviable to do so. Where an applicant considers that the provision of affordable housing in accordance with this policy would make the scheme unviable it will be necessary for the applicant to demonstrate this through the submission of a full detailed viability assessment. Such an assessment will need to show the maximum level of affordable housing that could be delivered on site with the applicant being expected to deliver in accordance with this identified maximum level.~~robust justification is presented, the Council will consider the affordable housing requirement in accordance with policy SD7. This could include tenure mix, phasing and reducing the requirement if necessary. Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to deliver the affordable housing units proportionately over the development parcels.

5.41.a. In most cases, other than the exceptions specifically identified in Policy H4, the delivery of on-site affordable provision will be the Council's priority in order to achieve inclusive and mixed communities. Such provision should be distributed in small clusters of dwellings across sites.

5.42. There is an increasing demand for specialist housing which helps support people in the community with very specific needs, for example the elderly, people with physical or learning disability and other vulnerable people. The SHMA provides information on the likely needs of groups with needs for specialist housing. In particular, the SHMA identifies the growing elderly population within the Borough and the potential needs emerging for specialist housing. Meeting the needs of the growing elderly population is essential when planning for new housing with the principal of delivering specialist accommodation which promotes independent living being integral to this.

5.43. Meeting the needs of our ageing population and those living with a disability presents challenges for housing provision, which is already evidenced by the funding being spent on

adapting homes to meet need and the impact on public services of treating people who fall in the home. Providing more accessible homes will ensure that the Borough's housing stock is more easily adaptable and will help people to maintain their independence for longer. This policy recognises the existing commitment at Mount Leven in Yarm, which is anticipated to deliver housing provision specific to the ageing population.

~~5.44. The optional standards relating to accessible and adaptable homes that this policy bring into effect are governed by Building Regulations and set out within the Building Regulations 2010, 2015 edition incorporating 2016 amendments: 'Access to and use of buildings Approved Document M'. In order to allow for an appropriate transitional period, the standards will only be applied to outline or full applications approved after 1st April 2019. It will not be applied retrospectively to those applications for reserved matters where the outline permission was determined or is subject to a resolution to grant permission prior to that date. The Optional Standards that this policy brings into effect are governed by Building Regulations and set out in the Building Regulations 2010, 2015 edition incorporating 2016 amendments: 'Access to and use of buildings: Approved Document M'. Taking account of the up to date evidence of need and viability, the Council has taken the option provided by Government and set additional technical requirements in respect of access to homes and outdoor space. The Optional Standards to be applied provide for homes that under:~~

- M4 (1) - can be visited by a range of people including older people and those with reduced mobility.
- M4 (2) - can be accessed by most people and are potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users.
- M4 (3) are suitable for a wheelchair user to live in, and to use any associated outdoor space; either at completion (M4 (3) (2) (b)) or following completion can be adapted (M4 (3) (2) (a)).

5.44.a. The Council will not however apply M4 (2) or M4 (3) where step free access is not achievable. Furthermore, those standards will be relevant to outline or full applications approved after 1st April 2019, and not retrospectively to those applications for reserved matters where the outline permission was determined or is subject to a resolution to grant permission prior to that date.

5.45. Custom and self-build is the process by which an individual (or association) purchases a

plot of land and then builds their own home; the process can vary from the individual undertaking the whole process themselves to commissioning architects or builders to assist in the process. The Council are keen to support this process and make land available for such development as this is important to boosting housing supply and meeting housing aspirations. Whilst there is limited evidence of demand for custom and self-build within the SHMA and on the authorities Custom and Self-build Register, the Council are keen to widen opportunities for people to build their own homes as this will drive demand.

5.46. The International Study Centre serving Durham University and Stockton Riverside College are located ~~on the Teesdale area, south~~adjacent to the River Tees. The Council supports the economic and physical regeneration benefits the enhancement of this se—educational establishments are of key importance to the Borough can have to the Regenerated River Tees Corridor, in particular the benefits of attracting students from a wide variety of locations. However, it must be ensured that these developments are compatible with the character of the area, and do not impact on the amenity of neighbouring communities. It is important that the any need for student accommodation to support these institutions is satisfied in appropriate locations which have good access to both the educational establishments they serve and the local services students require.

5.47. Numerous initiatives have been undertaken by the Council and Registered Providers to improve existing housing stock and the urban fabric of residential communities. The Council actively work with tenants and landlords in the private rented sector to improve housing standards, and support owners of empty homes with a view to bringing them back into use. There is an on-going relationship with Registered Providers to bring empty homes back into use as affordable dwellings.

5.48. Recent and on-going housing regeneration schemes include Meadow Rise (Hardwick Green), Mandale Park (Thornaby), Norton Park (Norton), Parkfield and Mill Lane (Stockton), and Victoria Estate (Stockton). The regeneration scheme at Norton Park and the remainder of the scheme at Parkfield and Mill Lane are identified on the policies map as ~~re-affirmed~~ commitments. In addition to this, the Council have recently implemented the Energy Company Obligation (ECO) scheme which has seen the delivery of external wall insulation to 3,268 private sector dwellings across 4 wards since 2012. Future schemes will be identified as appropriate in policy SD4.

MM26	57	Policy H5	<p>Policy H5 – Gypsy and Traveller Accommodation</p> <p>1. Need for Gypsy and Traveller accommodation will be met on <u>the existing Council owned sites at Mount Pleasant Grange, Bowesfield Lane</u>, where possible. Where need new proposals cannot be met on this an existing site, <u>development a new site</u> will be permitted where the proposed development:</p> <p>a. <u>Proposals a</u>Accords with policy SD8 ‘Sustainable Design Principles’;</p> <p>b. Is accessible to sSchools, shops, health care and other local facilities <u>can be accessed via sustainable modes of transport in accordance with policy TI1</u>;</p> <p>c. <u>The site i</u>s large enough to provide for adequate on site facilities for parking, <u>and storage and residential amenity</u>; and</p> <p>d. <u>The development r</u>Reflects the scale of and does not dominate the nearest settled community.</p> <p>2. The Council will safeguard the existing site for Gypsies and Travellers at Mount Pleasant Grange, Bowesfield Lane unless the Council is satisfied that there is no longer a need for this provision.</p>
MM27	57	Para 5.49	<p>5.49. As specified within the NPPF, providing accommodation for Gypsies, Travellers and Travelling Showpeople is essential to meeting the housing needs. A Gypsy and Traveller Accommodation Assessment (GTAA) was undertaken as part of the SHMA to ensure that the evidence base for meeting needs aligns with ‘Planning Policy for Traveller Sites (August 2015).</p> <p>5.49. The study identifies a small need for <u>4 pitches for travelling households that meet the latest definition of gypsy and travellers</u>. This need can be met on <u>the existing sites at Mount Pleasant Grange, Bowesfield Lane</u> but a criteria-based approach will be applied where this is not possible to ensure any proposals are appropriately located to meet the needs of potential residents of the site, and, respects local character and the settled community. The GTAA did not find any need for provision to accommodate Travelling Showpeople and does not consider that</p>

			there is a need to identify any transit provision at this time.												
MM28	61/ 62	EG1	<p>EG1 - Strategic Growth Sites General Employment Sites</p> <p>1. New general employment proposals will be directed to existing premises and allocated sites in the following locations:</p> <table border="1"> <thead> <tr> <th>Site</th> <th>Area (ha) Gross</th> <th>Uses Permitted General Role</th> </tr> </thead> <tbody> <tr> <td>a. North Shore</td> <td>3 ha</td> <td>Mixed use development <u>which could include</u> residential and commercial uses. Retail and leisure uses will be prioritised in the part of the site within Stockton Town Centre. The area benefits from designation as an Enterprise Zone and is classed as a Principal Office Location where office based development will be encouraged to locate.</td> </tr> <tr> <td>b. Teesdale and Thornaby Place</td> <td>2 ha</td> <td>Mixed use site <u>which could include</u> residential and office opportunities. The area is identified as a Principal Office Location providing large scale opportunities for office based businesses.</td> </tr> <tr> <td>c. Wynyard</td> <td>374 ha</td> <td>High quality strategic inward investment location <u>for office (B1 use class) manufacturing and engineering (B2 use) and logistics use (B8 use class)</u> providing opportunities for major employers to locate in the Tees Valley.</td> </tr> </tbody> </table>	Site	Area (ha) Gross	Uses Permitted General Role	a. North Shore	3 ha	Mixed use development <u>which could include</u> residential and commercial uses. Retail and leisure uses will be prioritised in the part of the site within Stockton Town Centre. The area benefits from designation as an Enterprise Zone and is classed as a Principal Office Location where office based development will be encouraged to locate.	b. Teesdale and Thornaby Place	2 ha	Mixed use site <u>which could include</u> residential and office opportunities. The area is identified as a Principal Office Location providing large scale opportunities for office based businesses.	c. Wynyard	37 4 ha	High quality strategic inward investment location <u>for office (B1 use class) manufacturing and engineering (B2 use) and logistics use (B8 use class)</u> providing opportunities for major employers to locate in the Tees Valley.
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<p>2. General employment development <u>including general industrial (B2 use class) and storage and distribution (B8 use class)</u> will also be directed to sites and premises in established industrial estates, including Bowesfield, Black Path, St Ann's, Bon Lea & Mandale Triangle, Primrose Hill, and Stillington.</p> <p>3. At Wynyard Park approximately 23 ha of land is safeguarded for employment use and proposals for alternative uses on this site must consider policy EG1.4.</p>																					

			<p><u>4.3. In order to maintain an adequate supply of land and premises for economic growth, all allocated sites, and all existing land and buildings last used for employment purposes will be protected from alternative uses, unless it can be demonstrated through the submission of proportionate evidence that: sites and premises allocated for office, industrial and logistics uses which are viable and attractive to the market will be protected from alternative uses.</u></p> <p><u>a. The development does not lead to the loss of a key strategic site that would undermine economic growth across the Borough and/or the wider Tees Valley; and,</u></p> <p><u>b. The site or premises is no longer required for employment purposes, as demonstrated by an appropriate period of marketing extending to at least 12 months; and,</u></p> <p><u>c. The loss of the site, or part of the site, does not result in a negative impact on existing businesses prejudicing further commercial expansion in the area, when considered against policy SD8 and ENV7; and,</u></p> <p><u>d. Where appropriate, it has been demonstrated that redevelopment or refurbishment of the site is not viable for continued employment uses, or continued employment use would result in unacceptable traffic or environmental problems which would be significantly alleviated by the proposed use.</u></p> <p><u>5.4. The following sites within Stockton Town Centre are allocated for major mixed use developments, including an appropriate mix of all-main town centre uses and or residential development:</u></p> <p><u>6.5. Land to the rear of 90 to 101a High Street, Stockton.</u></p> <p><u>7.6. Southern Gateway, Stockton.</u></p>
MM28 a	62/ 63	Para 6.1 to 6.8	<p>6.2. The figures identified in the policy are a rounded gross figure, showing the total extent of the sites allocated. This totals approximately 1750ha. However, analysis in the Employment Land Review (ELR) suggests that the total unrounded net developable area of these allocations is more likely to be about 13865 ha. It should also be noted that 5 ha of land is identified as mixed-use and may actually be developed for non-B class uses.</p> <p>6.2.a. <u>The allocations in policy EG1 set out a balanced portfolio of general employment sites providing readily available opportunities for development on small sites, alongside large sites</u></p>

with a scale of opportunity attractive for larger developments and strategic inward investments. The policy also recognises the contribution of existing established employment areas and the contribution that reoccupation and refurbishment can make.

6.2.b. The general employment land allocation at Durham Tees Valley Airport (DTVA) relates to 20 hectares of general employment land that is available within the larger specialist allocation identified on the policies map and policy EG5, which totals 70 hectares. Of this wider allocation 50 hectares is identified specifically for airport related uses as discussed in Policy EG5.

~~6.3. Whilst the policy provides a mechanism to protect existing employment sites this also provides flexibility to respond to changes in circumstances, which would allow for alternative uses to be brought forward on employment sites. This will only occur in circumstances where it is demonstrated that there is adequate alternative land provision or that the site is no longer attractive or viable for employment use. In these circumstances, the onus will be on where the applicant provides evidence to justify that the loss of any loss of the employment land is appropriate having regard to the impact of the loss of the site on the employment land portfolio and site specific considerations.~~

~~6.4. In addition to the identified site allocations, the Local Plan safeguards an area of expansion land at Wynyard Park for future employment use. The site has not been allocated as there are more readily available sites in the Borough. Furthermore, housing allocations elsewhere on the Wynyard Park site ensure that a sufficient supply of homes is available in the area, meaning de-allocation for housing is not appropriate. As employment land remains the most sustainable long term use for this site, the Local Plan recognises that the sites future potential and safeguards the site for employment use. Therefore, any alternative proposal would therefore need to consider the long term implications of this loss of land, should a planning application be submitted.~~

~~6.5. The plan also identifies where there are growth opportunities in these locations which can meet the commercial development needs, which are identified in policy SD4 and build on the strategic locations identified in policy SD4. The main economic growth allocations encompass sites to meet town centre use developments (retail, leisure and tourism) and general employment development (office, industrial and warehousing), whilst specialist use allocations are identified under policy EG4 and EG5 below.~~

6.6. Town centres are also strategic locations for future economic growth. This policy provides site allocations where future redevelopment will be encouraged, with recommendations made in

			<p>line with the sequential approach to locating new development, as set out in national planning policy.</p> <p>6.7. The main site allocations for town centre use are located at the Southern Gateway to Stockton Town Centre and to the rear of Stockton High Street, which also has a prominent frontage in the centre. In order to respond flexibly to operator demand these allocations are mixed use development proposals. This also provides an opportunity for development to consider appropriately designed schemes, which accommodate more than one land use. In addition to the site allocations, a number of planning commitments exist which will also contribute to delivering the floorspace to address retail capacity across the Borough, these are not identified on the policies map.</p> <p>6.8. Development of employment land at Wynyard and mixed use developments in Stockton Town Centre and North Shore will need to be sensitively designed to ensure they avoid harm to and maximise enhancements to the significance of the High Burntoft Farm Scheduled Monument and Stockton Town Centre Conservation Area (including its individual heritage assets) <u>respectively in particular.</u></p>
MM29	63 to 64	EG2	<p>EG 2 – Managing Centres</p> <p>MAINTAINING VITALITY & VIABILITY</p> <p>1. The Council will seek to maintain and enhance the <u>vitality and viability</u> retail function of units in <u>of</u> all centres in the Town Centre Hierarchy, as defined in Policy SD4, and represented on the policies map. Proposals for the change of use, <u>or redevelopment of premises</u>, away from retail (Use Class A1) will only be supported where it can be demonstrated that:</p> <ul style="list-style-type: none"> a. The proposal will contribute to the centre’s vitality and viability and does not detrimentally impact on the retail function of the centre; and b. The proposal does not result in the <u>unjustified loss</u> of a key retail unit which due to its size, location or other characteristic is an important component of the retail function of the centre; and c. The proposal does not result in an over-concentration of non-retail or evening economy uses to the detriment of the vitality and viability of the centre; and d. <u>Proportionate evidence has been provided to demonstrate that the premises are no longer required for retail purposes</u> The premises is no longer attractive for retail use.

~~2. In addition to the above, w~~Within town, district and local centres the Council will support proposals for food and drink (Use Classes A3, A4 and A5) and other evening economy uses providing the activities in the area do not result in a harmful over-concentration of that use ~~in that area~~, either as a proportion of the centre overall or as a cluster within the centre.

STOCKTON TOWN CENTRE

~~3. The sustainability of the~~Primary Shopping Area, as defined on the policies maps, will continue to be the main town centre shopping location in the Borough. The Council will aim to retain and enhance the retail function of the town centre whilst seeking a reduction in the number of vacant ground floor commercial units. In addition to the criteria above, the vitality and viability of the Primary Shopping Area will be maintained and enhanced by:

~~a. Retaining a high concentration of retail uses in the Stockton Shopping Frontage, as defined on the policies map.~~

~~b. Reducing the number of vacant ground floor commercial premises in the Stockton Shopping Frontage to the national average.~~

~~e.a. Directing proposals for pay day loan shops, bookmakers, hot-food takeaways (Use Class A5) and uses that operate principally outside daytime hours away from the Stockton Primary Shopping Frontage, with significant clusters of these uses resisted elsewhere in the town centre; and~~

~~b. Resisting development proposals that would result in a harmful over-concentration of non-retail uses to the detriment of the vitality and viability of the Primary Shopping Area; and~~

~~c. Resisting proposals for ground floor residential development within the Primary Shopping Area; and~~

~~d. In order to consolidate the retail offer of the centre, encouraging proposals which reduce the proportion of retail uses (Use Class A1) in the wider town centre, outside the Primary Shopping Area, that provide opportunities for a wider variety of town centre uses, including offices (Use Class B1), hotels (Use Class C1) and assembly and leisure (Use Class D2)~~

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~~assembly and leisure (Use Class D2~~

- 4. The Council will support proposals for food and drink uses (A3, A4 and A5 use class) and other evening economy uses outside the Stockton Primary Shopping Frontage, providing the activities do not result in a harmful over-concentration of that use in that area, either as a proportion of the centre overall or as a cluster within the centre.**
- 5. Proposals to reconfigure and modernise commercial units throughout the town centre, whilst protecting and enhancing~~recognising~~ the historic character of the area, will be encouraged.**

~~DISTRICT & LOCAL CENTRES~~

- 6. The Council will, where appropriate, work with the owners of Billingham and Thornaby District Centres and local communities to develop schemes to maintain and enhance the vitality and viability of these modern district centres, particularly where the proposal will generate significant regeneration benefits for the wider centre.**
- 7. The Council will monitor the level of evening economy uses (A3, A4 and A5) in Norton and Yarm District Centres. New proposals will only be permitted where they demonstrate that they are in accordance with ~~EG2.1, EG2.2~~ and that they would not have a detrimental impact on the amenity of local residents.**
- 8. Proposed new retail and leisure uses within Billingham, Norton, Thornaby and Yarm District Centres will only be permitted where they would not have a significant adverse impact upon:
 - a. Existing, committed and planned public and private investment in other town and district centres; and,**
 - b. The vitality and viability, including local consumer choice and trade in other town and district centres.****
- 9. To support Yarm and Norton Centre's historic character ~~High Street frontages~~ and mix of uses, residential properties within and adjacent to the centres, as defined on the policies map, will be protected in that use.**

MM30	p.64	6.10 6.11 to	<p>6.10.a. <u>The Council also recognises the importance that some individual units can have towards the retail function of centres. Units could be considered important because of their:</u></p> <ul style="list-style-type: none"> • <u>Size – as there are few units of a similar scale or format within the town centre, especially larger units over 250 sq m; or,</u> • <u>Location – for example on prominent frontages, corner locations, or in close proximity to key public realm / civic space; or,</u> • <u>Other characteristics specific to the unit for example historic or built environment considerations.</u> <p>6.11. Elsewhere in the centre, EG2-3 encourages further flexibility to allow uses, which will complement the Primary Shopping Area and assist in the ambition to consolidate the retail offer of the centre. The loss of smaller retail units outside the Primary Shopping Area will be encouraged, but will also need to be considered <u>whether the proposed use results in an over-concentration of uses which can impact the vitality and viability of the centre against EG2.1.</u> At the same time, throughout the centre, businesses and developers will be encouraged to, where appropriate, modernise premises to meet the evolving needs and formats of businesses. Solutions may include, amongst other things, the amalgamation of units or improvements to service areas in the centre.</p>
MM31	65/ 66	EG3	<p>4. Town centre use proposals on out-of-centre sites, which demonstrate that the <u>business model format and scale of the development means it cannot be located in a town centre location, will be the subject of restrictive conditions to protect the future vitality and viability of the Boroughs town centres.</u></p> <p>5. New retail development will require an impact assessment where the scale, nature, location and likely turnover, could have an adverse impact upon existing centres. Convenience retail proposals in excess of 500 square metres (net), and comparison retail proposals in excess of 1,000 square metres (net) and all other new retail development likely to will have a significant adverse impact upon existing centres by virtue of its nature, location or likely turnover, will be required to submit a proportionate impact assessment. Such development will only be supported outside of the town centre hierarchy where it can be demonstrated through a proportionate impact assessment that the development will not have a significant adverse impact, both individually and cumulatively, on:</p>

			<p>a. Existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and</p> <p>b. The vitality and viability of existing centres in the catchment area of the proposal, including local consumer choice and trade in the centre and wider centre up to five years from when the application is made (for major schemes, up to ten years from when the application is made).</p> <p>6. <u>Development proposals in out-of-centre town or edge-of-centre locations for leisure uses other town centre uses will require an impact assessment where there is potential for the proposal is of a scale and format to have a significant adverse impact upon either the vitality and viability of existing defined centres (including comparable which threatens significant leisure, entertainment, office, arts, culture and tourism facilities therein) or major investment which is existing, planned or committed in town, district and local centres, by virtue of their scale, nature, format location and /or accessibility.</u></p>
MM32	67/ 68	EG4	<p>Policy EG4 – Seal Sands, North Tees and Billingham</p> <p>1. Development proposals for hazardous installations, uses related to the process industries, or emerging specialist sectors will be directed to available sites and expansion land in the following locations:</p> <p>a. Billingham Chemical Complex including 45 ha of available land.</p> <p>b. North Tees including 46 ha of available land.</p> <p>c. Seal Sands including 144 ha of available land.</p> <p>2. Development proposals in the <u>North Tees and Seal Sands</u> area will recognise the cumulative importance for bird species associated with the Teesmouth and Cleveland Coast SPA and Ramsar site. Appropriate development proposals will be encouraged at locations within the limits to development where:</p> <p>a. If necessary, land has been identified to provide appropriate strategic mitigation; or</p> <p>b. The applicant can demonstrate that the proposed development, in-combination with other proposals, will not adversely impact the Teesmouth & Cleveland Coast SPA and Ramsar site.</p> <p><u>3. Should it become apparent that proposals for strategic mitigation cannot be identified, the Council will work with the Tees Estuary Partnership and relevant stakeholders to take appropriate action.</u></p>

- ~~3.4.~~ Proposals for port and river based uses will be directed to sites and premises at Billingham Riverside, which includes approximately 38 hectares of available land. The following uses are considered to be suitable at port and riverside locations:**
- a. Operational facilities, including wharves, jetties, slipways;**
 - b. River based logistics, warehousing, hard standing, and storage;**
 - c. Storage of hazardous substances awaiting import or export;**
 - d. Fabrication, maintenance or decommissioning of marine vessels, oil rigs and other large structures requiring transportation by sea; and**
 - e. Energy generation plants and infrastructure that are reliant on a port/riverside location.**
- ~~4.5.~~ Alternative employment uses, excluding town centre uses and other uses that would generate significant populations, may be supported at Billingham Riverside if:**
- a. The proposal ~~complements~~ is linked to anticipated existing, committed and proposed investment in the area; or**
 - b. There are no other locations within the employment land portfolio which can accommodate the proposed development; ~~or~~**
 - ~~c. The proposed development is essential for sustainable development, operational relationships with existing processes in the area, or other sustainability considerations.~~**
- 6. At Billingham Riverside development within Flood Zones 2 and 3, other than for water compatible and less vulnerable uses, shall be considered in accordance with Policy ENV4. Development proposals for Essential Infrastructure should be directed to land allocated with the lowest flood risk, unless there are specific requirements which would necessitate the development of an alternative site at higher flood risk. Proposals should also be accompanied by a Flood Risk Assessment to demonstrate how Essential Infrastructure will be designed and constructed to remain operational and safe in times of flood.**
- ~~5.7.~~ Development proposals in the North Tees and Seal Sands area are required, as appropriate, to be supported by a site specific Flood Risk Assessment which considers, amongst other matters, emergency access/egress in the event of tidal flooding.**
- ~~6.8.~~ Proposals which require hazardous substance consent will be designed and**

			<p>located to prevent an unacceptable increase in the level of risk to human health and the environment from an industrial accident or prejudice adjacent operational facilities or allocated sites.</p>
MM33	68	Para 6.27 to 6.30	<p>6.27. The strategic mitigation mentioned in Policy EG4 (2a) refers to the approach being developed under the Strategic Master Plan (SMP) for the Estuary that is being prepared by the Tees Estuary Partnership. The SMP is seeking to “<i>create an estuary that is exemplar for nature conservation with thriving habitats and populations of birds and animals, and which drives sustainable economic growth and business investment in the area</i>”. This is linked to Policy ENV5. For further details see the supporting paragraphs 8.49 to 8.59, inclusive.</p> <p>6.27.a. <u>Development in the area should be carefully designed in accordance with policies SD8 and ENV5 to ensure that the proposal will not have an adverse effect on the integrity of the European site taking in to account, amongst other things:</u></p> <ul style="list-style-type: none"> • <u>The scale and nature of the development being acceptable in terms of impact on the SPA.</u> • <u>Developments being designed appropriately to prevent indirect impacts on adjacent habitats, preventing larger features of development from impacting the SPA through obstruction of bird flight / sight lines, and creation of ‘shadow effects’ that may inhibit bird usage adjacent habitats.</u> • <u>To limit the impact of construction activity, planning applications would be approved subject to conditions:</u> <ul style="list-style-type: none"> ○ <u>Linking development to a Construction and Environment Management Plan (CEMP); or</u> ○ <u>Prescribing specific conditions limiting working practices to minimise disturbance to important SPA features.</u> <p>6.27.b. <u>The Council will consider planning applications on allocated land in line with policy ENV5 and the legal tests set out in the Habitats Regulations, ensuring that any impact from development is mitigated appropriately. Should the mechanisms to deliver the strategic mitigation, or mitigation for individual developments, required to deliver policy EG4 be insufficient, the Council will seek to address this issue alongside the members of the Tees Estuary Partnership.</u></p>

6.27 c. Actions will include the following:

- Monitoring the cumulative level of development which has been delivered on allocations and the level of mitigation delivered to support these developments; and / or,
- Monitoring the cumulative level of development which is planned on allocations during the remaining plan period and the level of mitigation that is committed or may be required.

6.27 d. Five years after the adoption of the Local Plan, should there be little or no prospect of strategic mitigation coming forward, the Council will undertake appropriate actions as necessary. Such actions will include:

- Investigate why strategic mitigation has not progressed as anticipated and support interventions required to overcome delivery constraints;
- Carry out an updated review of evidence related to the usage of land at Seal Sands by SPA birds to understand the functional importance of individual sites, and potential in-combination impacts of development and the subsequent requirement for strategic mitigation; and
- Consider undertaking a partial review of the Local Plan. A decision to undertake a partial review of the Local Plan will only be taken when it is considered that other actions will not be sufficient to address any shortfall in mitigation.

6.28. In addition, a number of brownfield sites exist along the River Tees, which have previously been developed for industrial and river related uses. The close proximity to the river also presents a potential flood risk constraint to the area, which means that the sites are therefore allocated for port and river based uses only. In total about 38 hectares of land are available with 9 ha at the Billingham Reach estate, 6 ha at the nearby Casebourne Site, and 23 ha of available land at Haverton Hill.

6.29. The Council recognises that proposals may emerge for general employment development, which would not normally be encouraged in these areas. The tests within this policy provide a basis to deal with development proposals whilst protecting existing and future investment in the area. To demonstrate that the new use is complementary to existing uses in the area, the applicant will be required to demonstrate that their proposal would not be adversely affected by existing, new or expanded heavy industrial processes which could take place in the area.

			<p>6.29.a. <u>The Billingham Riverside site is partially located in Flood Zone 2 and 3a, and allocated for a range of Water Compatible, Less Vulnerable and Essential Infrastructure uses as defined in Table 2: Flood Risk Vulnerability Classification in the Flood Risk and Coastal Change National Planning Practice Guidance. Proposals for water compatible and less vulnerable uses will be considered in accordance with policy ENV4. Essential infrastructure supported at Billingham Riverside includes the 'storage of hazardous substances awaiting import or export' and 'energy generation plants and infrastructure that are reliant on a port/riverside location'. The vulnerability of these types of development to flood risk means it is appropriate to direct them to land at Billingham Riverside with the lowest flood risk in the first instance.</u></p> <p>6.29.b <u>Historic flooding events and the flood zone mapping has revealed a risk to the highway access routes to Seal Sands and North Tees along the primary access routes (A1185 and A178), where land is allocated for employment uses. Whilst the allocated land at Seal Sands and North Tees is not at risk of flooding, the access could be restricted at times of tidal flooding and any developer will need to consider emergency access/egress through a site specific Flood Risk Assessment. Such an assessment could include planned for evacuation and automation. There is a longer term aspiration to raise primary access route(s) or the provision of alternative emergency access/egress subject to the identification of funding.</u></p> <p>6.30. The policy recognises the sensitivity of this type of development and the need for some proposals to be appropriately designed to prevent an increased risk to society. Extensions of existing facilities or new development that introduces a new industrial facility, which increase the risk to the public are subject to consultation with the Health and Safety Executive.</p>
MM34	68 / 69	EG5.	<p>6. New development proposals which are not identified within points 1 and 2 above, or which come forward from an airport masterplan, will only be permitted where it can be demonstrated that:</p> <ul style="list-style-type: none"> a. The proposed development is necessary to enable the long term sustainability and viability of the airport; b. The amount and type of development will not adversely impact on the Council's ability to deliver the locational strategy and key development sites of the Local Plan and its wider strategic objectives; c. The developer can clearly demonstrate that existing land, buildings and facilities are not suitable for the development<u>The use would not prejudice the operation</u>

			<p><u>of the airport and in circumstances where the proposal would result in the loss of employment land or specialist airport related use land the development accords with policy EG1.3; and</u></p> <p>d. The environmental impacts of any proposal is mitigated.</p>
MM35	70/ 71	6.33 & 6.39	<p>6.33. During 2014, the operators of the airport prepared a masterplan, which sought to secure the future of the airport. This policy takes account of the masterplan by specifically allocating the airport and non-airport related development situated to the south of the runway. The airport masterplan covers the <u>initial period to 2020 and but also looks beyond this period to 2050</u>, it is therefore <u>likely that development to the south-side of the airport will not take place in its entirety during the plan period and it is also possible that the masterplan document could be reviewed during the plan period</u>. As airport masterplans are not statutory documents, it is important that a framework is set out to ensure that any future airport master plan seeks to protect the site as regional airport. Therefore additional criteria are included in the policy should this situation occur.</p> <p>6.39. Whilst this significant release of land exists at the airport, 50 hectares of the site is limited to airport related uses (see figure 153 below). This limit recognises the unique importance of the airport as an economic driver, whilst protecting more sustainable business locations within the main urban area. However, a small area of general employment land has been permitted to support the expansion of the airport, <u>an approach which was first established in the now abolished Regional Spatial Strategy the Local Plan continues to allocate this 20 hectares in the general employment supply in order to support the operation of the airport; and to provide an additional strategic inward investment location in a prestigious location that adds to the portfolio of development opportunities in the Borough and the Tees Valley.</u></p>

MM36	71/ 72	EG6	<p>EG6 –Small Scale Facilities</p> <ol style="list-style-type: none"> 1. Proposals for small-scale town centre uses and hot food takeaways designed to meet a localised catchment will be directed to defined town, district and local centres first, and then if no suitable premises are available, to existing available and suitable premises in other existing shopping parades in the catchment area of the proposal. 2. Within major new <u>strategic</u> residential and <u>general</u> employment developments, where no similar facilities exist within reasonable walking distance, developers should provide new shopping, service and community facilities of a scale which meet the day-to-day needs of future occupiers, subject to taking into account the range, choice and accessibility of existing local provision. 3. Support will only be given to the development of, or change of use to, small-scale (under 150sq m) town centre uses which would meet a local need outside of defined town, district, and local centres and shopping parades where they: <ol style="list-style-type: none"> a. Are of a scale and function intended to serve a localised catchment area; b. Do not have a significant adverse impact upon the vitality and viability of any designated centre; and c. Are situated within the limits to development. 4. Proposals which would be likely to lead to the loss of important local shops, services and facilities, including public houses and village shops, will not be approved. The assessment of such proposals will take into account the local need for both the proposed development and the existing facility, the provision of other existing town centre uses and their accessibility by non-car modes of transport, and where applicable, the viability of retaining the existing facility in its current location. 5. As part of the Council's commitment to improving health and tackling childhood obesity, proposals for hot food takeaways outside designated centres will be resisted where the premises fall within 400m of the boundary of an existing primary school, secondary school, park or playground boundary. 6.4. Outside of town, district and local centres development proposals for new hot-food-takeaways, betting offices or public houses will be resisted where they result in a harmful over-concentration of those uses.
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MM37	73	6.46	<p>6.46 Where there are no suitable and available units for Hot Food Takeaways, they will be encouraged to locate in locations which comply with the Town Centre Hierarchy set out in Policy EG3. However, new Hot Food Takeaways (including changes of use) will be resisted further where they are within 400m of schools, parks or play areas, where they present an obstacle to encouraging healthy eating and can contribute to childhood obesity.</p>
MM38	73	EG7	<p><u>Supporting the Rural Economy</u>Farm Diversification & Horticultural Nurseries</p> <p>Policy EG7 -- <u>Supporting Rural Economic Development</u>Farm Diversification, Horticultural Nurseries & Equestrian Development</p> <ol style="list-style-type: none"> 1. The Council will support <u>and promote the sustainable growth and expansion of both new and existing rural land-based businesses and enterprises, both through the conversion of existing buildings and well-designed new buildings which are well related to existing development and respect the character of the countryside</u>proposals for farm diversification providing they are small in scale and ancillary to the main use of the farm. 2. Support will be given to farm, agricultural and land based diversification schemes; rural leisure and tourism developments which build on the unique assets of the Borough, the introduction and improvement of information communications technology (ICT) networks to help support local businesses, including the expansion of high-speed broadband. 2.3. Support will be given to retail development associated with farm shops and horticultural nurseries where proposals are small in scale and ancillary to the main use of the farm/nursery and do not cause significant harm to vitality and viability of local centres shops.The Council will support retail development associated with farm shops and horticultural nurseries where: <ol style="list-style-type: none"> a. Proposals are small in scale and ancillary to the main use of the farm/nursery; b. The operation does not cause significant harm to a local centre or a nearby village shop; and c. The goods sold will predominantly (at least 75%) be those produced on-site or from other local farms/nurseries. 3.4. Proposals for farm diversification must be accompanied by a comprehensive whole farm diversification plan, which establishes how the proposed changes will

			<p>assist in retaining the viability of a farm and its agricultural enterprise.</p> <p><u>4.5. The Council will support and promote the retention and development of local services and community facilities in villages, which meet the day to day needs of rural communities such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. Proposals which involve the re-use or redevelopment of existing land or buildings where the last use was for community purposes or providing community facilities will be considered against Policy TI2. Development will be commensurate with the scale, nature and degree of permanence of the proposals.</u></p>
MM39	73/ 74	Para 6.47 to 6.49.	<p>6.47 In order to promote a strong rural economy, the Council will support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Whilst agricultural buildings benefit from permitted development rights, the Council recognises that new build schemes and larger conversions will still need planning permission. The diversification of an existing agricultural enterprise is supported. However, farm diversification schemes should be planned on a comprehensive basis to retain a viable agricultural unit by seeking additional incomes from other sources still related to the countryside. In order to protect the quality and distinctiveness of the local landscape, the Council wishes to prevent uncoordinated development in rural areas and the gradual stripping of assets from farms without regard for the on-going viability of the holding. Any proposals for farm diversification, including their design and layout, should not create the requirement for further development which would be inappropriate in itself.</p> <p>6.47.a. Support will be given to the diversification of an existing agricultural enterprise where it is planned on a comprehensive basis to retain a viable agricultural unit by seeking additional incomes from other sources still related to the countryside. In order to protect the quality and distinctiveness of the local landscape, the Council wishes to prevent uncoordinated development in rural areas and the gradual stripping of assets from farms without regard for the on-going viability of the holding. Any proposals for farm diversification, including their design and layout, should not create the requirement for further development which would be inappropriate in itself.</p> <p>6.48. Retail development associated with farm shops and horticultural nurseries are supported to aid the rural economy and farm diversification. The Council recognise that in order to sustain the rural economy and farm diversification developments provide a service throughout the year it</p>

			<p>may be necessary to bring in produce to overcome problems associated with seasonality, selection of produce and provide continuity of employment. To preserve the ancillary nature of a retail enterprise, the Council may will, therefore, condition up to 25% of the value of goods sold to be an acceptable level of imported produce. Further conditions may also be attached to permissions seek to define by conditions attached to the grant of planning permission to define the type of produce for sale, depending on the business model of the proposal, as well as an agreement on the localised catchment of the proposal.</p> <p>6.49. It will be important that any farm diversification, horticultural nursery or equestrian development is designed and sited appropriately. conversion or new building or extension to an existing building for use by a new business or enterprise is well designed and well related to existing development, and respects the character of the countryside. In this regard, many Local Plan policies will need to be considered in determining any application; this will include SD4, SD5 and SD8, amongst others.</p>
MM40	74	EG8.	<p>Policy EG8 – Agricultural, Forestry and Other Rural Based Enterprise Dwellings</p> <p>1. The Council will support temporary agricultural or forestry accommodation where they are essential to support either new or established agricultural, or forestry <u>or other rural based enterprises/businesses</u>, providing:</p> <ol style="list-style-type: none"> a. Clear evidence of a firm intention and ability to develop the enterprise concerned; b. Clear evidence that the enterprise has a functional need; c. Clear evidence that the proposed enterprise has been planned on a sound financial basis; d. The functional need could not be fulfilled by another existing building on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; e. The temporary accommodation is of a size commensurate with the established functional requirement; and f. The temporary accommodation is sited so as to meet the identified functional need and to be well-related to existing farm buildings, or other dwellings. <p>2. The Council will support new permanent agricultural or forestry dwellings where it supports existing activities on well-established agricultural, or forestry <u>or rural based enterprises/businesses</u> units, providing:</p>

				<p>a. There is a clearly established existing functional need;</p> <p>b. The need relates to a full-time worker, or one who is primarily employed in agriculture or forestry and does not relate to a part-time requirement;</p> <p>c. The unit and the agricultural or forestry activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;</p> <p>d. The functional need could not be fulfilled by another existing building on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned;</p> <p>e. The new dwelling is of a size commensurate with the established functional requirement; and</p> <p>f. The new dwelling is sited so as to meet the identified functional need and to be well-related to existing farm buildings, or other dwellings.</p> <p>3. Where permission for temporary accommodation is granted, permission for a permanent dwelling will not subsequently be given unless the criteria within point 2 are met.</p> <p>4. New dwellings associated with other rural based enterprises will be subject to the above criteria. <u>Where a new dwelling is permitted, an occupancy condition will be attached to the planning permission to ensure that it is occupied by a person, or persons currently or last employed in local agriculture, horticulture, forestry or other rural activities, or their surviving partner or dependents(s). The removal of such a condition will only be permitted where it can be demonstrated that there is no longer a need for accommodation on the holding/business and in the local area and the property has been marketed appropriately for a period extending to at least 12 months, and at a price that reflects the existence of the occupancy condition.</u></p>
MM41	75	6.50 6.58	to	<p>6.51. A '<i>functional test</i>' is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to <u>live permanently at or near their place of work</u>. be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night. Where a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.</p> <p>6.55. Any grant of planning permission may include a condition preventing the exercise of</p>

			<p>permitted development rights for extensions and/or curtilage buildings.</p> <p>6.58. Where the need to provide accommodation <u>is</u> to enable farm, forestry or other workers to live at or near their place of work has been accepted, permission will only be granted subject to occupancy conditions. This is to ensure that dwellings are kept available for meeting this need for as long as it exists, <u>and a proposal for the removal such a condition requires evidence that there is no longer a need for the dwelling for this purpose. The appropriateness of the marketing will be judged not only against the time period and price, but also the method - which is expected will be agreed with the Council in advance.</u></p>
MM42	79 - 81	TI1	<p>Policy TI1 – Transport Infrastructure</p> <p>DELIVERING A SUSTAINABLE TRANSPORT NETWORK</p> <ol style="list-style-type: none"> 1. To support economic growth and provide realistic alternatives to the private car the Council will work with partners to deliver <u>an accessible and</u> -sustainable transport network. This will be achieved through improvements to the public transport network and routes for pedestrians, cyclists and other uses. 2. A comprehensive, integrated and efficient public transport network will be delivered by: <ol style="list-style-type: none"> a. Retaining essential infrastructure that will facilitate sustainable passenger movements by bus, rail and water; b. Supporting proposals for the provision of infrastructure which will improve the operation, punctuality and reliability of public transport services; c. Supporting upgrades to railway stations within the Borough to improve access and safety; d. Improving public transport interchanges to allow integration between different modes of transport; e. Working with public transport operators to maintain and enhance provision wherever possible; f. Working with partners to promote the provision of accessible transport options for persons with reduced mobility; and g. Ensuring appropriate provision is made for taxis and coaches. 3. Accessible, convenient, and safe routes for pedestrians, cyclists and other users will

			<p>be delivered by:</p> <ul style="list-style-type: none"> a. Improving, extending and linking the Borough’s strategic and local network of footpaths, bridleways and cycleways; and b. Improving the public realm and implementing streetscape improvements to ensure they provide a safe and inviting environment. <p>4. Sites and routes which will play a role in developing infrastructure to widen transport choice will be safeguarded from development which would impact negatively on their delivery or attractiveness to potential users, routes include:</p> <ul style="list-style-type: none"> a. Bridge and <u>footway/cycleway</u> link across the Rivers Tees between Ingleby Barwick and Egglecliffe; b. Cycleway/footway between Tees/Surtees Bridge and Victoria Bridge on the western bank of the River Tees; c. Cycleway/footway on the northern bank of the River Tees at Yarm; d. <u>b.</u> Cycleway/<u>footway</u><u>bridleway</u> from Durham Road, Thorpe Thewles to Wynyard Woodland Park; e. <u>c.</u> Cycleway/footway to the north of Mill Lane, Long Newton; f. Cycleway/footway from Greatham Creek to Transporter Bridge; g. <u>d.</u> Cycleway/footway from Elton Interchange to Durham Lane Industrial Estate; h. <u>e.</u> Cycleway/footbridge across the A689 (via a bridge) to connect with the wider cycleway network at Wynyard Road; and i. <u>f.</u> Car parking to the west of Egglecliffe <u>Railway</u> Station and footbridge over the railway line. <p>5. Essential infrastructure that will facilitate sustainable freight movements by rail and water will be retained.</p> <p>HIGHWAYS INFRASTRUCTURE</p> <p>6. To support economic growth, it is essential that the road network is safe and that journey times are reliable. The Council will seek to provide an efficient and extensive transport network which enables services and facilities to be accessible to all, <u>accommodate the efficient delivery of goods and supplies</u>, whilst also minimising congestion and the environmental impact of transport.</p> <p>7. Targeted improvements will be delivered at the following priority locations (routes</p>
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are safeguarded where as identified):-

a. Strategic road network:

- i. **A66 (including A66 Elton Interchange);**
- ii. **A19 Widening Norton to A689 (route safeguarded);**
- iii. **A19/ A689 Interchange; and**
- ~~iv. **A689 at Wynyard;**~~
- ~~v. **New Tees Crossing; and**~~
- ~~vi-iv. **A19/A67 Interchange (Crathorne).**~~

b. Local road network:

- ~~i. **A1046 Portrack Relief Road (route safeguarded);**~~
- ~~ii. **Junctions associated with the West Stockton Sustainable Urban Extension;**~~
 - 1. **Darlington Back Lane and Yarm Back Lane junction,**
 - 2. **Horse and Jockey Roundabout (Durham Road, Junction Road and Harrowgate Lane),**
 - 3. **Harrowgate Lane and Leam Lane;**
- ~~iii-ii. **Junction of A1027, Junction Road and Norton High Street, Stockton; and**~~
- ~~iv-iii. **Junction of Durham Road, A1027 and Bishopton Avenue, Stockton.**~~
- ~~iv. **A689 at Wynyard**~~
 - ~~a. **Improvements at five roundabouts on A1185 Seal Sands Link Road- Wolviston Services- Wynyard Business Park- Wynyard East- Wynyard West.**~~
 - ~~b. **Additional Lane on the northern carriageway of the A689/A19 junction to provide 3 lanes (removing existing footway) and a replacement separate cycle/footbridge over the A19.**~~

8. The Council and its partners will support the development of the Key Route Network which through continual assessment of the strategic and local road network, will help identify and ensure appropriate improvements are delivered

AVIATION

9. The Councils approach to development at Durham Tees Valley Airport is outlined in policy EG5.

NEW DEVELOPMENT

10. Existing sustainable transport and public transport infrastructure will be protected

from development which would impair its function or attractiveness to users.

11. To assist consideration of transport impacts, improve accessibility and safety for all modes of travel associated with development proposals, the Council will require, as appropriate, a Transport Statement or Transport Assessment and a Travel Plan. All major development proposals likely to generate significant additional journeys are required to be accompanied by a Transport Assessment and a Travel Plan.

12. The Council and its partners will seek to ensure that all new developments (including alterations to existing developments and changes of use, where appropriate), where appropriate, which generate significant movements are located where the need to travel can be minimised, where practical gives priority to pedestrian and cycle movements, provides access to high quality public transport facilities and offers prospective residents and/or users with genuine sustainable transport options. This will be achieved by seeking to ensure that:

- a. Transport choices are widened and the use of sustainable transport modes are maximised. New developments ~~will~~ provide access to existing sustainable and public transport networks and hubs. Where appropriate, networks are ~~will be~~ extended and new hubs created. When considering how best to serve new developments, measures ~~to~~ make best use of capacity on existing bus services ~~should be explored~~ before proposing new services; consideration is ~~should be~~ given to increasing the frequency of existing services or providing feeder services within the main network.**
- b. Suitable access is provided for all people, including those with disabilities, to all modes of transport.**
- c. Sufficient accessible and convenient operational and non-operational parking for vehicles and cycles is provided, and where practicable, incorporate facilities for charging plug-in and other ultra-low emission vehicles. Any new or revised parking provision is ~~should be~~ of a sufficient size and of a layout to facilitate its safe and efficient operation.**
- d. Appropriate infrastructure is provided which ~~to~~ supports Travel Demand Management to which reduces travel by the private car and incentivises the use of sustainable transport options.**
- e. New development incorporates safe and secure layouts which minimises conflict between traffic, cyclists or pedestrians.**

13. The Council's approach to transport infrastructure provision is set out in Policy

			SD7. New development will be required to deliver transport infrastructure in accordance with policy SD7.
MM43	82/ 86	para 7.11, 7.15-7.17 7.20, 7.21, 7.25, 7.26.	<p>7.11. A number of routes have been safeguarded from development as they will play an important role in developing infrastructure to widen transport choice. The benefits of implementing these schemes are detailed below.</p> <ul style="list-style-type: none"> • Bridge and <u>footway/cycleway</u> link across the River Tees between Ingleby Barwick and Egglecliffe - Residents access adjoining settlements for employment and services. The provision of a suitable crossing point will allow travel by sustainable means as there are currently no convenient routes between settlements. Whilst no funding has been identified the scheme is a desirable addition to the network and should be safeguarded should funding become available. • Cycleway/footway between Tees/Surtees Bridge and Victoria Bridge on the western bank of the River Tees The realignment and improvement of the existing footway to a cycleway and footway at this location is an aspiration of the Council to deliver a sustainable transport link which forms part of the Eight Bridges Cycle Way from Victoria Bridge to the Transporter Bridge. This realignment is through the Boathouse Lane housing site and it will be essential that any development respects this proposal. • Cycleway/footway on the northern bank of the River Tees at Yarm A challenging route exists along Yarm High Street, which includes an identified pinch point at Yarm Bridge. A route running along the north bank of the River Tees has been identified which would improve the alignment of an existing right of way, moving it away from the river and making the gradient more attractive to commuters. Implementing the proposal would require a bridge across the River Tees; at this time no funding has been identified. However, the lack of realistic alternative solutions to the identified issue means this route has been safeguarded. • Cycleway/<u>bridleway</u> <u>footway</u> from Durham Road, Thorpe Thewles to Wynyard Woodland Park- The development of an off-road cycle/<u>bridleway</u> <u>footway</u> link from Durham Road in Thorpe Thewles to Wynyard Woodland Park would provide a safe and attractive 'gateway' to this popular countryside site. Utilising the existing pedestrian A177 underpass, the proposed path would provide a direct, traffic free link between the village and the park, and would also provide an alternative route for users of National

Cycle Network Route 1, which currently crosses the A177 dual carriageway to the north east of Thorpe Thewles.

- **Cycleway/footway to the north of Mill Lane, Long Newton-** A cycleway/foot way to the north of Mill Lane would close a gap in the cycle network between Darlington and Stockton. At present National Cycle Network Route 14 is continuous from Darlington to Middleton St George to the west, and from Long Newton to central Stockton to the east, with just this section not benefitting from either a segregated cycleway or quiet road route. Mill Lane is the main link from the A66 through to Durham Tees Valley Airport and as such carries a large volume of vehicles including HGV's and is a 60mph limit road. Construction of a link to the northern side of Mill Lane would complete this strategically important cycle route between Darlington and Stockton as well as providing safer local connectivity for residents of Middleton St George and Long Newton.
- ~~**Cycleway/footway from Greatham Creek to Transporter Bridge**~~ The development of an off road route for walkers and cyclists in the area to the east of Billingham to connect with other access routes near Greatham Creek to the north and the River Tees to the south is an important strategic priority. A route through this area could form part of the developing England Coast Path, as well as increasing opportunities for people to cycle to work in the Tees Estuary and Seal Sands area. It would also provide sustainable transport links between important visitor attractions including Teesmouth National Nature Reserve, RSPB Saltholme and the Transporter Bridge at Port Clarence.

Devolution and the Tees Valley Combined Authority

7.15 The Devolution Deal signed in November 2015 includes a number of key strategic transport schemes that are seen as essential to facilitate growth in Tees Valley, which are deliverable in the next 10 years and are now supported and endorsed by TfN. These are:

- ~~A new A19 Tees Crossing and associated enhancements to the strategic A19 corridor.~~
- ~~Darlington Station Redevelopment, to be HS2/NPR ready and to improve the gateway into and across Tees Valley.~~
- ~~The delivery of improved East West connectivity from the A1 to the international~~

gateway at Teesport.

- ~~The major upgrade of the Northallerton to Middlesbrough/Teesport rail line to improve connectivity for businesses and passengers.~~

7.16 In mid-January 2017 the Department for Transport (DfT) allocated a proportion of the available NPIF funding to Transport Authorities. The Tees Valley Combined Authority seeks to direct the funding to improving east – west connectivity across the conurbation.

7.17 Specific improvements required to support anticipated traffic growth on the A66 to facilitate better east-west connectivity will be identified through on-going studies ~~and incorporated within the Local Plan as appropriate.~~

New Development

7.19.a The Council will require new development proposals to be supported by a Transport Assessment, or a Transport Statement, and/or a Travel Plan. The Council will consider the need for these documents having regard to the location of the proposal, the size and nature of the development and the proximity of the development to constraints on the highways network such as junctions that have known capacity or highway safety issues.

North West Stockton, Wynyard Sustainable Settlement and the A19/A689

7.20. The A19 has been identified as having particularly high traffic densities per lane compared to other roads nationally, and operates beyond its theoretical capacity. It has been acknowledged as a barrier to growth across the Tees Valley. A number of schemes have been identified to assist in facilitating reliable journey times including a scheme to widen the carriageway to three lanes between Norton and the A689.

7.21. Improved traffic flows have been achieved at the A19/A689 junction following through improvements implemented through the successful bid for Pinch Point Programme funding. However, to deliver growth at Wynyard there will be a requirement to upgrade infrastructure at this junction and on the A689. Highways infrastructure improvements will be detailed within the emerging Wynyard Masterplan as discussed in Policy H3.

			<p>Portrack Relief Road and New Tees Crossing</p> <p>7.25. Two specific schemes on the local road network have been identified within the Tees Valley Area Action Plan (TVAAP) to relieve congestion on the strategic road network. These are Portrack Relief Road and a New Tees Crossing. The route of the proposed Portrack Relief Road is safeguarded and identified on the policies map. Feasibility work is on-going to establish the proposed route for the New Tees Crossing.</p> <p>7.26. A wider North Stockton transport model (focusing on A177 Durham Road, B1274 Junction Road and the A1207) is under preparation to ascertain improvements that are required in this area to ensure the highways network can accommodate cumulative increases in traffic movements. Particular focus of this study will be the following principle junctions:</p> <ul style="list-style-type: none"> • A1027, Junction Road and Norton High Street, Stockton. • Durham, A1027 and Bishopton Avenue, Stockton.
MM44	86/ 87	TI2	<p>Policy TI2 – Community Infrastructure</p> <p>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:</p> <ol style="list-style-type: none"> 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. <p>2. Planning permission for the re-use or redevelopment of any land or buildings used for community infrastructure will be permitted where the community's ability to meet its day to day needs for services are not reduced. <u>Proposals which would lead to the loss of valued local shops, services and facilities, including public houses and village shops, will not be supported unless:</u></p> <ol style="list-style-type: none"> <u>a. There is no demand for the facility in the locality and its continued future use would be economically unviable, or;</u>

a-b. Equivalent alternative facilities are available nearby and the proposal would not undermine the community's ability to meet its day to day needs.

3. The Council will take into account listing or nomination of 'Assets of Community Value' as a material planning consideration.

~~**3. Where proposals for planning permission affect a designated Asset of Community Value, the applicant must additionally demonstrate that the land or buildings could not viably remain in continued or similar use, having been marketed for a six week period and, if a community group has expressed an interest in being treated as a potential bidder for the site, a six month period has passed.**~~

4. To ensure needs for community infrastructure are met the Council will:

- a. Support opportunities to widen the cultural, sport, recreation and leisure offer;**
- b. Support proposals of education, training and health care providers to meet the needs of communities;**
- c. Encourage the multi-purpose use of facilities to provide a range of services and facilities within one accessible location;**
- d. Safeguard land at the former Blakeston School site for the provision of a crematorium;**
- e. Identify land for the delivery of cemetery provision within Stockton and to the south of the Borough to meet identified needs;**
- f. Support the provision of additional river accesses with increased landing stages/moorings/marina at appropriate locations where they are of a scale appropriate to the location; and**
- g. Safeguard areas of land at Ingleby Barwick for:
 - i. Leisure facility adjacent to the Local Centre, and**
 - ii. Community Centre at Sandgate.****

5. Community Infrastructure is to be delivered alongside residential development at the West Stockton Sustainable Urban Extension and Wynyard Sustainable Settlement in accordance with policies H2 and H3 to ensure the creation of sustainable communities.

6. Development on existing sports and recreational buildings and land, including playing fields will be resisted,The loss of playing fields, in whole or part will be resisted unless:

			<p>a. An assessment has been undertaken which has clearly shown the buildings or land<u>The playing field(s) have been identified as surplus to requirements;</u> or</p> <p>b. The proposed development is ancillary to the principal use of the site as a playing field(s), and does not affect the quantity or quality of pitches or adversely affect their use, or</p> <p>c. The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing areas of any playing pitch or the loss of any other sporting/ancillary facilities on the site, or</p> <p>d.b. _____ The loss resulting from playing field(s), which would be lost as a result of the proposed development, would be replaced by a playing field(s) of an equivalent or better provision in terms of quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development; or</p> <p>e.c. _____ The development is for an alternative sports and recreational provision the needs for which clearly outweigh the loss.</p>
MM45	89	TI3.7	<p>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. This could be through a 'Connectivity Statement' provided with planning applications.</p>
MM46	89	Para 7.37	<p>The Council is committed to ensuring that telecommunications developments are supported by necessary evidence to ensure that they are designed and sited appropriately. <u>This could be through a 'Connectivity Statement' provided with a planning application where appropriate.</u></p>
MM47	93/ 94	ENV1	<p>1. The Council will encouragerequire all development to minimise the effects of climate change throughand encourage all developments to meeting the highest feasiblepossible environmental standards that are financially viable during construction and occupation. The Council will:</p>

			<p>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:</p> <ul style="list-style-type: none"> 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, <u>Combined Heat and Power</u> and <u>Combined Cooling Heat and Power</u> systems, then v. Conventional energy. <p>3. All developments of ten dwellings or more, or of 1,000 sq m and above of gross floor space, will be required to:</p> <ul style="list-style-type: none"> 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. <u>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.</u>
MM48	97	ENV2.1	<p><u>Development Appropriate</u> proposals will be supported where renewable energy measures are considered from the outset, including incorporating small-scale renewable and low carbon energy generation into the design of new developments where appropriate, feasible and viable, and where there would be no unacceptable adverse effects on landscape, ecology, heritage assets and amenity. The Council encourage and support:</p>

MM49	100/ 103	ENV4	<p>1. <u>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. (Flood Zone 1). In considering proposals elsewhere, the sequential and exception test, will be applied. Site specific flood risk assessments and drainage strategies will be required in accordance with national policy.</u></p> <p>2. <u>In exceptional circumstances developments may be permitted in higher flood risk areas to meet strategic regeneration objectives within the Regenerated River Tees Corridor as identified within policy SD3 or to provide essential infrastructure. Where necessary mitigation measures would have to be identified though a detailed Flood Risk Assessment Development on land in Flood Zones 2 or 3 at risk of flooding will only be permitted following:-</u></p> <p>a. <u>The successful completion of the Sequential and Exception Tests (where required); and</u></p> <p>b. <u>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.</u></p> <p>3. <u>Site specific flood risk assessments will be required in accordance with national policy.</u></p> <p>3.4. <u>All development proposals will be designed to ensure that:</u></p> <p>a. <u>They will be safe over the lifetime of the development, taking account of climate change Opportunities are taken to mitigate the risk of flooding elsewhere; Flood risk is not increased elsewhere and will where possible, reduce flood risk overall;</u></p> <p>b. <u>Foul and surface water flows are separated;</u></p> <p>c. <u>Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and</u></p> <p>d. <u>SuDS have regard to accord with the Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.</u></p> <p>4.5. <u>Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:</u></p> <p>a. <u>To an infiltration or soak away system; then,</u></p>
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MM50	101/ 103	8.35/ 8.41 & 8.45	<p>8.35. The latest flood zone maps for the Borough are accessible through the Environment Agency and identify areas of land at risk from all sources of flooding. This policy seeks to <u>ensure development will be located to minimise the risk of flooding from all sources. Development in areas at risk of flooding be required to apply the sequential and exception tests (where required).</u>direct new development to areas at lowest risk of flooding in accordance with the flooding sequential test, which directs development to flood zone 1. If it is not possible to direct uses to the lowest risk areas, then the exception test must be applied. This considers the wider sustainability benefits of the proposal and involves a site specific flood risk assessment which must demonstrate the development is safe and does not increase flood risk elsewhere.</p> <p>8.36. The Council have undertaken a Strategic Flood Risk Assessment (SFRA) which provides further information regarding flood risk including the impacts of climate change. The Council as the lead Local Flood Authority (<u>LLFA</u>) is responsible for preparing a local flood risk management strategy and maintaining a register of flood risk assets. Flood alleviation schemes have recently taken place at Port Clarence and Greatham South, and Lustrum Beck. The Council have identified in the Local Flood Risk Management Strategy opportunities to reduce and mitigate flood risk; this includes engagement in the development management process through the provision of pre-application advice.</p> <p>8.36a. <u>Before deciding on the scope of a site specific flood risk assessment, the SFRA should be consulted along with the Local Planning Authority, LLFA, the Environment Agency and Northumbrian Water. The completed Flood Risk Assessment should be submitted to the Local Planning Authority for approval.</u></p> <p>8.37. Sustainable drainage systems (SuDS) are now the preferred approach to managing rainfall from hard surfaces and can be used on any site. The primary purpose of SuDS is to mimic the natural drainage of the site prior to development. This is achieved by capturing rainfall, allowing as much as possible to evaporate or soak into the ground close to where it fell, then conveying the rest to the nearest watercourse to be released at the same rate and volumes as prior to development. There are many different SuDS features available to suit the constraints of a site. SuDS schemes provide many benefits beyond just reducing flood risk, such as assisting in improving water quality, creating new habitats for wildlife, providing a valuable amenity asset and passive cooling.</p> <p>8.38. To provide more information and technical guidance on SuDs techniques, the five Tees Valley Authorities (Middlesbrough Council, Stockton Borough Council, Darlington Borough Council, Redcar & Cleveland Council and Hartlepool Borough Council) have jointly produced the</p>
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			<p>Tees Valley Authorities Local Standards for Sustainable Drainage (2015). <u>The use and operation of SuDS should be demonstrated as part of the drainage strategy for the proposed development.</u></p> <p>8.39. It should be noted that, ground conditions in the Borough are not usually suitable for infiltration; therefore, and infiltration/ soak away systems are not usually accepted as a method for surface water disposal. Appropriate assessments should be undertaken to determine ground conditions to determine the most appropriate methods for managing surface water.</p> <p>8.40. The Council will require new development to take account of future predicted climate change in line with the priorities set out in the adopted Climate Change Strategy 2016, and ensure it is resilient to risk, adopting appropriate climate change mitigation and adaptation principles in line with policy SD5.</p> <p>8.41. <u>Building on information in the SFRA 2010, the Thecurrent SFRA</u> identifies Lustrum Beck, Billingham and Yarm as <u>draft or candidate eCritical D</u>rainage aAreas; they have a significant history of flooding or are at risk of significant flooding. This flooding may be from a single source or multiple sources with complex interactions. In these areas and other areas with flood risk issues it may be beneficial to restrict runoff rates to a level to provide flood risk benefits. The Council may also seek contributions towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.</p> <p>8.45. Paragraph 114 of tThe NPPF states that Local Planning Authorities should 'set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'. Policy SD5 --<u>Natural, Built and Historic Environment</u>Environment and Climate Change Strategy provides the overarching strategic policy aimed at protecting and enhancing the local environment. The policies contained within this section seek to further develop policy SD5.</p>
MM51	103/ 104	ENV5	<p>Policy ENV5 – Preserve, protect and enhance <u>ecological networks, biodiversity and geodiversity</u></p> <p>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</p>

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.**
- 2.3. 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.**
- 3.4. 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 will, 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 be assessed against the prevailing legal protection and national policy afforded to those sites. 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.**
- 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 would have an adverse effect on a site(s), 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.**
- be permitted unless it meets the relevant legal requirements. A**

~~precautionary approach will be taken towards developments that may have indirect impacts on such a site and appropriate strategic mitigation measures or contributions to avoid detrimental impacts will be sought.~~

~~b)c)~~ Locally designated sites: Development that would have an adverse effect on a site(s) will not be permitted unless the benefits reasons for 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 ~~and to mitigate against any loss of interest.~~

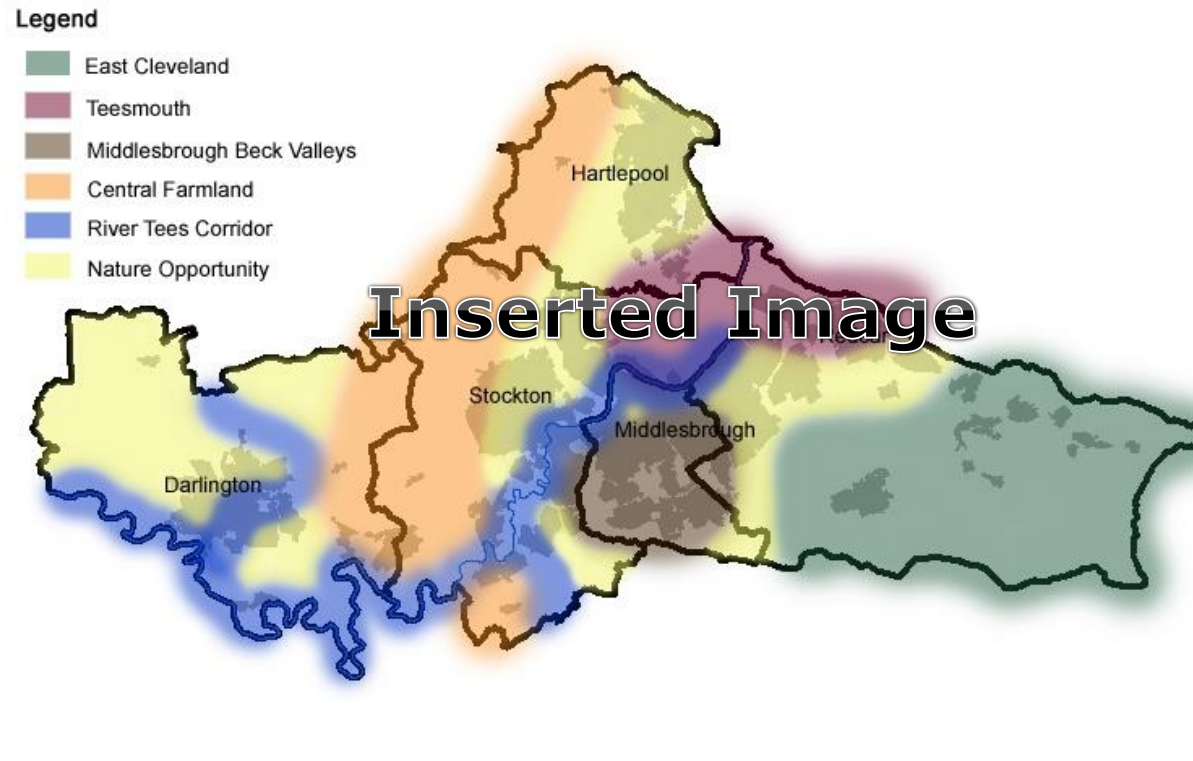
~~4.5.~~ Development proposals should seek to achieve net gains in biodiversity wherever possible. It will be important for biodiversity and geodiversity to be considered at an early stage in the design process so that harm can be avoided and wherever possible enhancement achieved (this will be of particular 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.

~~5.6.~~ When proposing habitat creation it will be important to consider existing habitats and species as well as and opportunities identified in the relevant Biodiversity Opportunity Areas by the Tees Valley Nature Partnership. This will assist in ensuring proposals accord with the 'landscape scale' approach and support ecological networks.

~~6.7.~~ Existing trees, woodlands and hedgerows which are important to the character and appearance of the local area amenity 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.
MM51 a	104 - 107	8.46/ 8.59	<p>8.46. Stockton has a rich and diverse natural environment. The Borough contains designated sites of international, national and local importance which form an essential part of the Borough's ecological and- green infrastructure networks. There is the potential for conflict between the natural environment and current/future land uses. Therefore, it is essential that the Local Plan satisfactorily manages development to ensure it does not harm the natural environment and where possible enhances it.</p> <p>8.46a. <u>Wherever possible developments should achieve 'net gains' in biodiversity. To achieve this it is important that biodiversity and geodiversity is considered in the design stage to ensure features of value are identified early in the planning process and measures put in place to secure their protection. The principle aim should be to avoid harm and where possible provide enhancements. This aim can be achieved through the preservation, restoration and re-creation of priority habitats, ecological networks, wildlife corridors and the protection and recovery of priority species.</u></p> <p>8.46b. <u>Through the Tees Valley Nature Partnership (TVNP) and the implementation of the Stockton-on-Tees Green Infrastructure Strategy, partners are working together to enhance ecological networks and wildlife corridors in rural and urban areas. This includes projects to restore, create and manage habitats on individual sites, including many of the Borough's designated and non-designated wildlife sites.</u></p> <p>8.46c. <u>The importance of creating larger and better connected areas of natural habitat is now recognised as a key strategy for maintaining biodiversity and enabling wildlife to adapt to climate change. Many organisations are now promoting the creation of ecological networks and the use of landscape-scale approaches to conservation. As part of the Natural Network and Opportunities Maps, TVNP has mapped and collated information on important biodiversity sites and species across the Tees Valley. Based on this, and analysis of other data, TVNP have identified 5 broad 'landscape areas' for habitat conservation, restoration and creation.</u></p> <p>8.46d. <u>Within the Borough a number of priority habitats and species, mostly concentrated within Teesmouth but also along the River Tees corridor and scattered across the open farmland have been identified. This forms the basis for the three landscape areas of the River Tees, Teesmouth and Central Farmland, which are identified within the Borough and shown below.</u></p>

Figure 16 - Landscape Areas for habitat conservation, restoration and creation



8.46e. The Natural Networks and Opportunities Maps will provide a basis on which to work at a 'landscape scale' to conserve, restore and create ecological networks, prioritising specific habitats and species where appropriate. Within the larger landscape areas the Tees Valley Nature Partnership have undertaken work to identify Biodiversity Opportunity Areas (BOA) which are key areas for potential biodiversity enhancement. This is where targeted maintenance, restoration, creation, mitigation and offsetting measures should be adopted to enhance biodiversity and in turn help to deliver a wide range of ecosystem services. Collectively the BOAs form a strategic network, representing a significant environmental asset for the Tees Valley. At a more local level the Council will identify projects within the Green Infrastructure Delivery Plan.

The concept of biodiversity off-setting may offer a future role in providing compensation for

development which results in a loss of nature conservation value. Biodiversity offsetting generates extra investment for habitat creation by appropriate compensation schemes. A key principle of biodiversity accounting is that it is only after avoidance, mitigation and on-site compensation have been fully investigated that any residual environmental damage can be considered for compensation off-site.

8.47. Within Stockton there is one internationally designated site; the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site which is situated in the north east of the Borough. The intertidal part of the SPA is termed a European Marine Site. Stockton has five nationally important Sites of Special Scientific Interest (SSSIs), these are Seal Sands, Cowpen Marsh, Whitton Bridge Pasture, Briarcroft Pasture, and the Tees and Hartlepool Foreshore and Wetlands. Parts of the SSSI within the Borough at Teesmouth are designated as a National Nature Reserve (NNR). Locally designated sites include twelve Local Nature Reserves and 56 Local Wildlife and Geological Sites. ~~It is noted that Natural England are proposing to extend and add features to the existing Teesmouth and Cleveland Coast Special Protection Area (SPA) and review of Sites of Special Scientific Interest (SSSI) within the area. The Local Plan will respond to this as further details emerge.~~

8.48. Natural England have reviewed scientific evidence and undertaken a consultation relating to with a view to recommending to Government an extension of the Teesmouth and Cleveland Coast SPA. It is likely that accepted by Ministers for formal consultation the extension will be confirmed soon after the adoption of the Local Plan. The proposed boundary has been taken in to account throughout the production of the Local Plan to ensure that the plan does not adversely impact habitats protected by the extended designation ~~ded SPA will become a 'potential' SPA with the same level of protection as the existing, designated SPA. Policy ENV5 provides the necessary safeguards to protect important habitats from unacceptable development, which allows the Local Plan to respond flexibly to any changes in circumstances.~~

8.49. Development proposals likely to have a significant affect upon a European site will need to be the subject of a thorough ~~Habitats Regulations Assessment (HRA)~~ Appropriate Assessment (AA) and be tested against the legal protection and national policies prevailing at the time. Any development where the ~~HRA~~ AA cannot rule out adverse effects upon the integrity on a European site, having taken into account any mitigation, will be refused unless there are no alternative solutions, the development is of overriding public interest and appropriate compensatory measures have been ~~are imperative reasons of overriding public interest and there are no alternative solutions. Where an adverse effect upon integrity is identified but the project must none the less go ahead, the authority will notify the Secretary of State to allow the application to~~

~~be called in for determination. In these situations, compensatory measures must be secured to ensure that the overall coherence of the Natura 2000 network is maintained~~

8.50. The Tees Estuary is an area of significant economic importance, not only for the Tees Valley but also within a national and international context. As identified by the nature of allocations within policies SD4 and EG4 the area is of particular importance to the chemical and processing sectors and provides access to deep water port facilities. The Council, will continue to support further growth and investment in the area, while recognising the national and international importance of the Estuary and its surroundings for nature conservation.

8.51. The Council alongside other relevant local authorities, the Local Enterprise Partnership, the Local Nature Partnership, statutory agencies, private sector businesses, and wildlife groups are members of the Tees Estuary Partnership which is coordinated by the Tees Industry Nature Conservation Association (INCA). Tees Estuary Partnership (TEP) has set a vision to "create an estuary that is an exemplar for nature conservation with thriving habitats and populations of birds and animals, and which drives sustainable economic growth and business investment in the area. All users of the estuary will have a common understanding of the environmental and socio-economic value of the Tees and the needs of other stakeholders. This promotes integrated and sustainable development of the estuary alongside improvement of the habitats and infrastructure."

8.52. The TEP is currently in the process of producing a Strategic Master Plan for the estuary with key components relating to economic development and improving the environment where economic development takes place, and to habitat creation and enhancement opportunities. The TEP is also working with regulators and businesses to produce a Memorandum of Understanding in relation to the provision of advice, consents and assent. The Council supports the production of a Strategic Master Plan and Memorandum of Understanding for the Tees Estuary and will have regard to these when implementing Local Plan policies. The Strategic Master Plan will form the BOA for the Teesmouth landscape area identified in the National Network and Opportunities Maps.

8.53. The Tees Valley Nature Partnership acts as the Local Sites Partnership in the Tees Valley. The partnership has produced a guidance document for the selection of Local Wildlife and Geological Sites in the Tees Valley in accordance with Defra (2006) guidance. The Local Sites guidance is based on local scientifically based knowledge within the partnership, with criteria covering 8 habitat types and 15 species/groups. This guidance has been used to designate sites and will be used to monitor site conditions. Ancient woodland is captured within the criteria for

Local Sites.

8.53a. Trees, woodlands and hedgerows have nature conservation value and are significant elements of the landscape of the borough. Hedgerows are identified in the UK Biodiversity Action Plan as the most significant wildlife habitat over wide stretches of lowland UK and are a priority habitat as they tend to support the greatest diversity of plants and animals. Trees, either individual or grouped, are important to the character and appearance of the local area and provide numerous other benefits including their nature conservation value. It is important that the impact of development proposals on trees, woodlands and hedgerows is taken into consideration during the design stage of proposals and that wherever possible they are retained, unless loss is unavoidable in which case replacement provision will be sought. This policy covers not only those trees, woodlands and hedgerows that are covered by Trees Preservation Orders and those within conservation areas but also extends to cover those that are of importance to the character and appearance of the local area or are of nature conservation value.

~~8.54. It is important that any features of value are identified early in the planning process so that adequate measures can be taken to secure their protection. Developers will be expected to incorporate and enhance such features within a site wherever possible and adequate measures should be taken to protect them from damage during construction. Networks of habitats will be protected from development and where possible strengthened by it.~~

~~8.55. Through the Tees Valley Nature Partnership (TVNP) and the implementation of the Stockton on Tees Green Infrastructure Strategy, partners are working together to enhance ecological networks in rural and urban areas. This includes projects to restore, create and manage habitats on individual sites, including many of the Borough's designated and non-designated wildlife sites.~~

~~8.56. The importance of creating larger and better connected areas of natural habitat is now recognised as a key strategy for maintaining biodiversity and enabling wildlife to adapt to climate change. Many organisations are now promoting the creation of ecological networks and the use of landscape scale approaches to conservation. As part of the Natural Network and Opportunities Maps (figure 16), TVNP has mapped and collated information on important biodiversity sites and species across the Tees Valley.~~

~~8.57. Based on this, and analysis of other data, TVNP have identified 6 broad 'landscape areas' for habitat conservation, restoration and creation. Within the Borough a number of priority habitats and species, mostly concentrated within Teesmouth but also along the River Tees~~

corridor and scattered across the open farmland have been identified. This forms the basis for the three landscape areas of the River Tees, Teesmouth and Central Farmland, which are identified within the Borough and shown below.

Figure 16 Priority Habitats and Species within Stockton on Tees

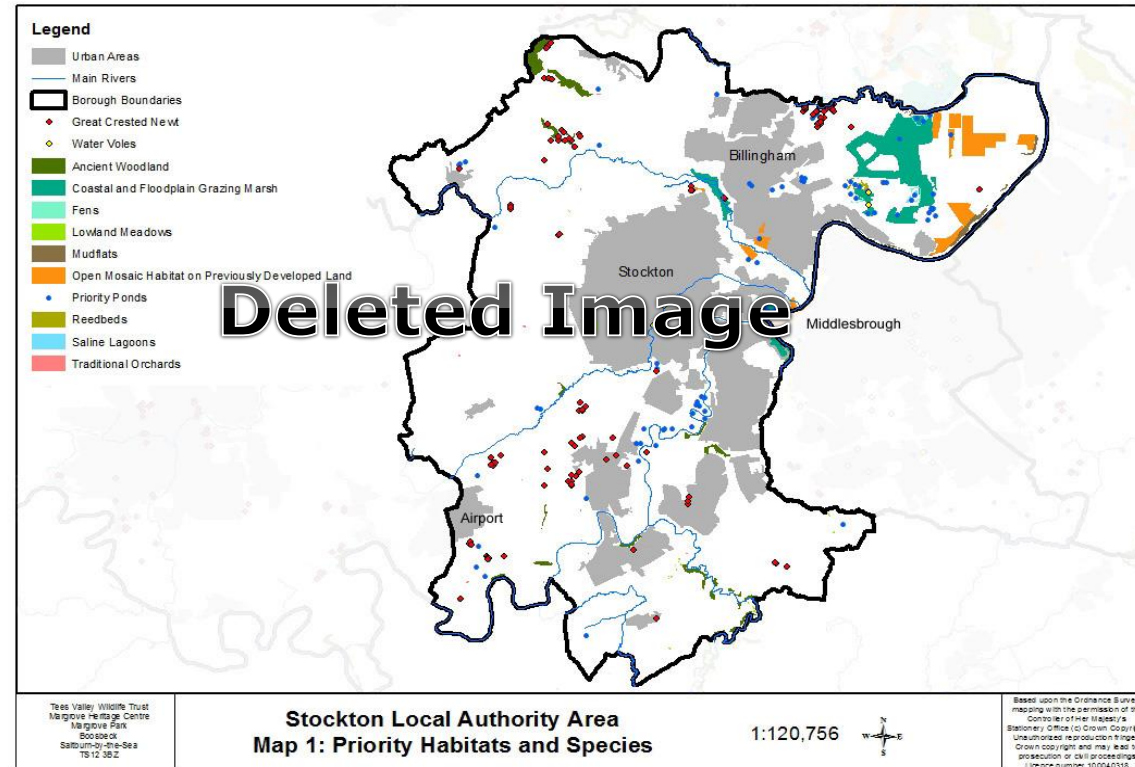
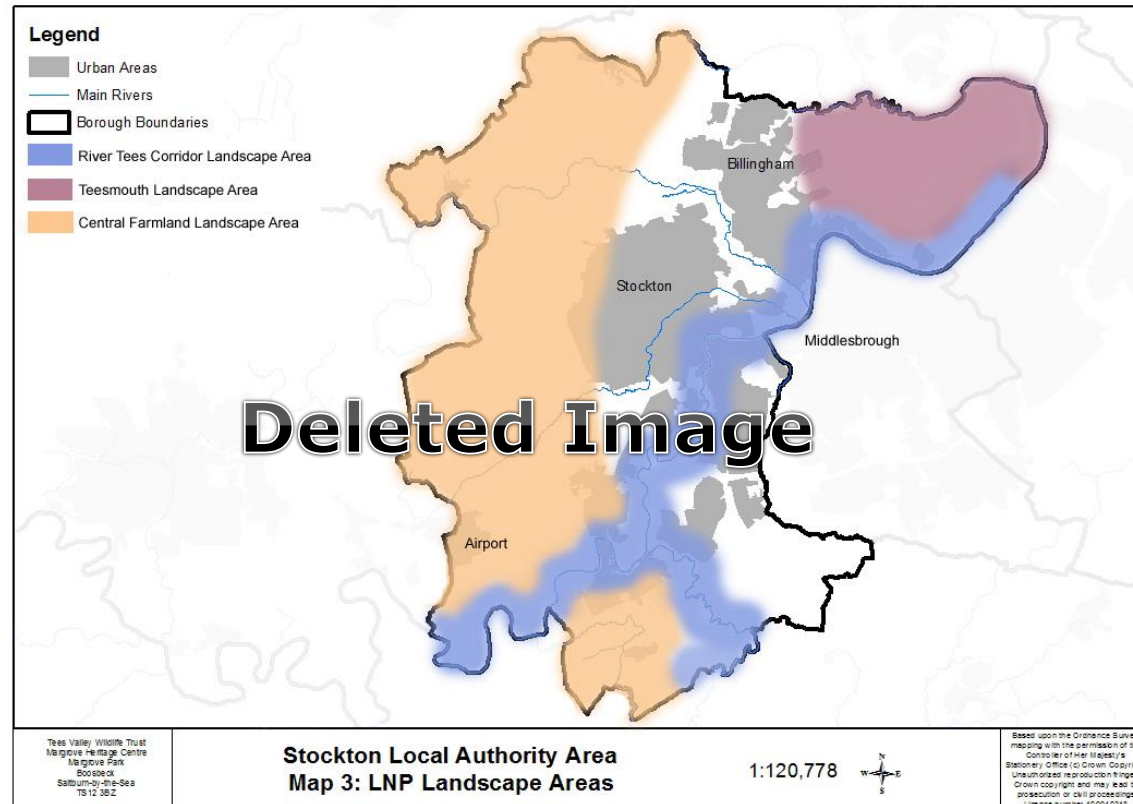


Figure 17 Landscape Areas for habitat conservation, restoration and creation



8.58. This Natural Networks and Opportunities Mapping will provide a basis on which to work at a 'landscape scale' to conserve, restore and create ecological networks, prioritising specific habitats and species where appropriate. Within the larger landscape areas the Tees Valley Nature Partnership have undertaken work to identify Biodiversity Opportunity Areas (BOA) which are key areas for potential biodiversity enhancement. This is where targeted maintenance, restoration, creation, mitigation and offsetting measures should be adopted to enhance biodiversity and in turn help to deliver a wide range of ecosystem services. Collectively the BOAs form a strategic network, representing a significant environmental asset for the Tees Valley. At a more local level the Council will identify projects within the Green Infrastructure Delivery Plan.

			<p>8.59. The concept of biodiversity off setting may offer a future role in providing compensation for development which results in a loss of nature conservation value. Biodiversity offsetting generates extra investment for habitat creation by appropriate compensation schemes. A key principle of biodiversity accounting is that it is only after avoidance, mitigation and on site compensation have been fully investigated that any residual environmental damage can be considered for compensation off site.</p>
MM52	107 - 108	ENV6	<p><u>Policy ENV6 – Green infrastructure, ecological networks and open space, green wedges and agricultural land</u></p> <ol style="list-style-type: none"> 1. Through partnership working the Council will protect and support the enhancement, creation and management of <u>all green</u> infrastructure to improve its quality, value, multi-functionality and accessibility in accordance with the Stockton-on-Tees Green Infrastructure Strategy and Delivery Plan. 2. The Council require <u>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</u> to be integrated, where practicable, into new developments. This includes new hard and soft landscaping, and other types of green infrastructure. Proposals should illustrate how the proposed development will be satisfactorily integrated into the surrounding area in a manner appropriate to the surrounding townscape and landscape setting and enhances the wider green infrastructure network. 3. The Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. The loss of open space <u>as shown on the policies map, and any amenity open space,</u> will not be supported unless: <ol style="list-style-type: none"> a. It has been demonstrated to be surplus to requirements; or b. It has no recreational, nature conservation or amenity value; or e.b. <u>the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</u> d.c. <u>The proposal is for another sports or recreational provision, the needs for which, clearly outweigh the loss; or</u> e.d. <u>The proposal is ancillary to the use of the open space; and</u> f.e. <u>in all cases there would be no significant harm to the character and appearance of the area or nature conservation interests.</u>

~~4. Where appropriate development proposals will be required to make contributions towards open space provision to serve and support the development. Provision will be made in accordance with standards and guidance provided within the Open Space, Recreation and Landscaping Supplementary Planning Document or any successor.~~

4. Development within green wedges will only be supported where:

- a. it would not result in physical or visual coalescence of built-up areas;**
- b. it would not adversely impact on local character or the separate identity of communities;**
- c. it would not adversely impact on recreational opportunities; and**
- d. it would not adversely impact on biodiversity.**

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. Ecological networks will be protected, enhanced and extended. A principal aim of this will be to link sites of ecological importance by avoiding or repairing the fragmentation and isolation of natural habitats. Priority sections of the Borough's Ecological Network are:

- ~~• River Tees Corridor;~~
- ~~• Teesmouth;~~
- ~~• Lustrum Beck Corridor;~~
- ~~• Stainsby Beck Corridor;~~
- ~~• Billingham Beck Corridor; and;~~
- **River Leven Corridor.**

MM53	108/ 109	Para 8.62 – 8.67	<p>8.62. The Stockton-on-Tees Green Infrastructure Strategy also recognises neighbourhood-scale green infrastructure networks as being important. This third tier of green infrastructure is termed the 'Green Grid' and comprises local networks of urban open space, street trees and other landscape features. These 'Green Grids' exist in most urban and rural areas and collectively they make an important contribution to the overall aims of the Stockton-on-Tees Green Infrastructure Strategy. While they are not identified within the Local Plan and accompanying policies map it is possible to identify, plan and manage these 'Green Grid' networks; for example, they could form part of a neighbourhood plan or a new development proposal.</p> <p>8.63. The Open Space Assessment and Strategy (2017) which provides a robust and up-to-date quantitative and qualitative assessment of open space across the Borough with a site threshold of 0.2 ha applied to some typologies of open space. The Open Space Assessment and Strategy (2017) forms the basis for the open space identified on the policies map. However, there may other smaller amenity open spaces which contribute positively to the character of local communities. In such circumstances proposals will also need to ensure the development does not significantly harm the character and appearance of the area or nature conservation interests has been undertaken.</p> <p>8.63. The Open Space, Recreation and Landscaping SPD provides <u>Standards and guidance for the management and delivery of open space; including the circumstances in which open space will be required on-site as part of new development and when financial contributions sought. The Open Space Assessment and Strategy (2017) provides updated standards and guidance; emerging will be it is the Councils intention to incorporated these within Supplementary Planning Documents which</u> and will replace those within the current Open Space, Recreation and Landscaping SPD.</p> <p>8.64. Specific proposals for the development and enhancement of green infrastructure are set out in the Borough's Green Infrastructure Delivery Plan. The Delivery Plan is regularly updated and it is proposed that the Open Space Assessment and Strategy (2017) has <u>will informed a comprehensive review of the Delivery Plan. The revised Delivery Plan will identify a range of priority schemes.</u></p> <p>8.64a. <u>Open spaces help to create high quality design and contribute to the distinctiveness, character and amenity of an area. The provision of open spaces also helps to support healthy lifestyles and improve quality of life; they can also provide multiple other benefits. This policy covers the following types of open spaces:</u></p>
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- Urban parks
- Natural and semi natural greenspaces
- Amenity green space
- Play areas
- Informal sports facilities
- Allotments/community gardens
- Green corridors
- Cemeteries, churchyards and burial grounds

8.64b The Borough is fortunate to have a number of areas of green space that extend from the countryside into the heart of the conurbation; many of these areas incorporate natural valleys associated with watercourses. These areas separating built-up areas within the conurbation (as defined by the limits to development) are designated as green wedge (as shown on the policies map). Green wedges are predominantly located to the south of the A66 and cover the land separating the built-up areas of Thornaby, Ingleby Barwick, Yarm, Eaglescliffe and Stockton. The remaining areas of green wedge are located in North Billingham and at Wynyard; the identification of green wedge at Wynyard aligns with the policy approach in the Hartlepool Local Plan.

8.64c. Green wedges play an important role in maintaining local character and the separate identity of built-up areas; this is achieved, in part, through ensuring that development within this designation does not lead to the physical or visual coalescence of built-up areas. Beyond this green wedges fulfil a range of other purposes including providing recreational opportunities and supporting ecological networks. In order for development within the green wedge to be acceptable criteria within this policy needs to be met.

8.64d. Beyond this green wedges fulfil a range of other purposes including providing recreational opportunities and supporting ecological networks. The Council consider green wedges to be an important policy designation and continue to support their identification between built-up areas.

8.64e. Agricultural land is graded on a scale of 1 to 5, with the best and most versatile land defined as grades 1, 2 and 3a. The Council will take into account the economic and other benefits of the best and most versatile agricultural land, and furthermore avoid the use of the best and most versatile agricultural land in –allocating sites. However, where significant development of agricultural land is demonstrated to be necessary, the use of areas of poorer quality land will be sought in preference to that of a higher quality.

8.65. It is important that designated sites, as described in policy ENV5, are not considered in isolation, but rather that they are viewed as important components of the Borough's ecological and green infrastructure network. More specifically they form part of a network that provides a diverse range of habitats which collectively support a wide variety of plant and animal species. Such networks also performs numerous other functions; for example, helping to reduce pollution and flood risk, improving water quality, and contributing to people's health and well-being.

8.66. Six priority elements of the Borough's ecological network have been identified within this policy. Three of these priority sections align with 'landscape areas' identified within the National Networks and Opportunity Mapping in figure 17. These are detailed in figure 18 below:

Figure 18 – Ecological Networks Priority sections and Landscape Areas

National Networks and Opportunity Mapping Landscape Area	Priority Ecological Networks (as identified within policy EN6)
River Tees Corridor	River Tees Corridor & River Leven Corridor
Teesmouth	Teesmouth

8.67. All six priority elements of the Borough's ecological network also align with the green infrastructure network (as identified within the Green Infrastructure Strategy and on the Local Plan Key Diagram) indicating there is an overlap and synergy between them. The priority sections of the ecological network should not be seen as the only elements of the Borough's ecological network, and the principle of creating and linking habitats should be an important consideration when development is proposed.

MM54

109/
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Policy ENV7

Policy ENV7 – Ground, Air, Water, Noise and Light Pollution

- 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 human health, amenity or 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.**
- Development that may be sensitive to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will**

		<p>not be sited near to sensitive developments or areas unless satisfactory mitigation measures can be demonstrated.</p> <p>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, amenity 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.</p> <p>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:</p> <ul style="list-style-type: none">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; andb. Demonstrate that development will not cause the site or the surrounding environment to become contaminated and/or unstable. <p>5. Development of 'best and most versatile' agricultural land will be supported where it can be demonstrated that:</p> <ul style="list-style-type: none">a. The need for the development clearly outweighs the need to protect such land in the long term; andb. There are no suitable alternative sites on previously developed land or lower quality land. <p><u>6.5.</u> 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.</p>
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			<p>7.6. To improve the quality of the water environment the Council will:</p> <ul style="list-style-type: none"> 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 <p>8.7. 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).</p>
MM55	110/ 111	Para 8.68/ 8.73.	<p>8.68. Development has the potential to increase pollution which can affect people's health and have detrimental impacts upon the amenity of existing and future occupants of land and buildings, the character and appearance of the local area, undermine quality of life and have a detrimental impact upon the environment. It is important to locate, design and manage new development so as not to give rise to unacceptable impact effects on sensitive land uses or features. Certain land uses or features are particularly sensitive to pollution and should be given particular attention when considering development proposals; this includes but is not limited to the countryside, green wedge, heritage assets, water bodies and sites of nature conservation. It is also important not to locate new sensitive land uses in locations where they may be affected by the otherwise acceptable effects of established land uses.</p> <p><u>8.68a. Where development has the potential to lead to significant pollution, either individually or in combination, it will be necessary for planning applications to be supported by full and detailed assessments of the likely impacts. For development to be supported such assessments will be required and demonstrate that pollution is or can (through mitigation) be brought within acceptable levels. For the purposes of this policy 'levels' refers to statutory limits (such as those relating to air quality and contaminated land) and the wider considerations of impacts under the Environmental Protection Act (1990).</u></p> <p>8.73. Protecting and enhancing soils is an important element of the NPPF, with Local Authorities being required to protect the best and most versatile land in their area. Agricultural land is graded on a scale of 1 to 5, with the best and most versatile land defined as grades 1, 2 and 3a. The Council will avoid the use of the best and most versatile agricultural land through the allocation of sites. However, where proposals do come forward, it is important to direct</p>

			development to alternative locations wherever possible.
MM56	113 - 114	HE2	<p>3. Development proposals <u>should</u> will conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. Where development will lead to harm to or loss of significance of a designated or non-designated heritage asset the proposal will be considered in accordance with policy SD8, other relevant Development Plan policies and prevailing national planning policy.</p> <p>4. The loss of a heritage asset, in whole or part, will not be permitted unless the Council are satisfied that reasonable steps to ensure new development will proceed after loss has occurred.</p> <p>5. Where the significance of a heritage asset is lost (wholly or in part) the Council will require developers to record and advance <u>the understanding of the significance of the heritage asset</u> in a manner proportionate to the importance of <u>the asset</u> and <u>impact of the proposal</u>. Recording will be required before development commences.</p> <p>6. The following <u>are</u> designated heritage assets are of considerable significance:</p> <ul style="list-style-type: none"> a. Scheduled Monuments- Castle Hill; St. Thomas a Becket's Church, Grindon; Barwick Medieval Village; Round Hill Castle mound and bailey; Larberry Pastures settlement site; Newsham Deserted Medieval Village; Stockton Market Cross and Yarm Bridge; b. Registered Parks and Gardens- Ropner Park and Wynyard Park; c. Conservation Areas- Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Egglescliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm; d. Listed Buildings <p>7. The Council have identified assets on a Local List, which are considered as having local heritage significance.</p> <p>8. The route of the Stockton & Darlington railway of 1825, the branch line to Yarm, and associated structures should be considered for their international interest.</p> <p>9. <u>Where the Council identifies a building, monument, ruin, site, place, area or landscape as having significance because of its heritage interest, it will be considered a heritage asset.</u></p>

			<p>9.10. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to policies for designated heritage assets.</p> <p>10.11. Where archaeological remains survive, whether designated or not, there will be a presumption in favour of their preservation in-situ. The more significant the remains, the greater the presumption will be in favour of this. The necessity for preservation in-situ will result from desk-based assessment and, where necessary, field evaluation. Where in-situ preservation is not essential or feasible, a programme of archaeological works aimed at achieving preservation by record will be required.</p> <p>11.12. Any reports prepared as part of a development scheme will be submitted for inclusion on the Historic Environment Record.</p>	
MM57	Local Plan Addendum Appendix 3	Appendix 3 – Implementation and Monitoring	<p>Indicator EG.01 – Total availability of safeguarded land at Wynyard Park (hectares)</p> <p>Indicator EG.06 – % of children aged 10–11 (year 6) measured as obese through the National Childhood Measurement programme.</p>	
MM58	Local Plan Addendum Appendix 4.	Appendix 4 – Yarm & Norton residential Protection Policy	High Street	12, 20, 22, 24, 32, 32a, 32b, 34, 36, 38, 40, 42, 44, 46 (flats 1 - 7 inclusive), 48, 50, 52, 54, 56, 58, 60, 66, 67, 68, 69, 69A, 70, 71 (Norton Priory), Wingate House, 72, 73, 74, 76, 78, 80 (Flats 1 - 6 inclusive), 81, 81A, 81B, 81C, 81D, 81E, 82, 82A, 82B, 82 (including flat 4), 84 (including Cobble Cottage, Garden Cottage, Rose Cottage and Flats 2 - 10 inclusive), 86, 88, 89, 90, 91, 92, 94, 94A, 96, 97, 98, 99, 100, 102, 104, 106, <u>108, 108A</u> , 110, 112, 113, 115, 115A, 116, 118, 119, 120, 121, 123, 129, 133, 145.
MM59	Local Plan Addendum Appendix 5.	Appendix 5 Glossary.	Affordable Housing (including social rented, affordable rented, intermediate housing)	<p>Housing for sale or rent, for those whose needs are not met by the market, as set out in the NPPF. Social rented, affordable rented and intermediate housing, provided to eligible household whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.</p> <p>Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and</p>

			<p>provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.</p>
			<p>Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).</p>
			<p>Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.</p>
			<p>Homes that do not meet the above definition of affordable housing, such as "low cost market" housing, may not be considered as affordable housing for planning purposes.</p>