

# Appeal Decision

Site visit made on 2 December 2025

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 23 January 2026

## Appeal Ref: APP/H0738/W/24/3352732

### Land at Wynyard Village, Easting (x) 440223 Northing (y) 526881

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Cameron Hall Developments Limited against the decision of Stockton-on-Tees Borough Council.
- The application Ref is 22/2579/FUL.
- The development proposed is full planning permission for the erection of 135 residential dwellings with associated landscaping and ancillary works.
- This decision supersedes that issued on 22 May 2025. That decision on the appeal was quashed by order of the High Court.

## Decision

1. The appeal is allowed and planning permission is granted for full planning permission for the erection of 135 residential dwellings with associated landscaping and ancillary works at Land at Wynyard Village, Easting (x) 440223 Northing (y) 526881, in accordance with the terms of the application, Ref 22/2579/FUL, subject to the conditions in the attached schedule.

## Preliminary Matters and Background

2. This appeal is a redetermination following the quashing of the previous appeal decision<sup>1</sup> by the High Court<sup>2</sup>. That appeal decision considered two main issues, namely the effects of the proposal on the setting of a Grade II\* listed park and garden and whether the proposal would represent overdevelopment of the site. The decision was quashed on the basis *“that the Inspector’s decision was inadequately reasoned such that it did not make it clear how (if at all) the Inspector had regard” to “the Planning Practice Guidance (PPG) on the Historic Environment, a mandatory material consideration”*<sup>3</sup>.
3. The previous appeal decision is however a material consideration, and I have had regard to it accordingly. Nevertheless, I have determined the appeal afresh, taking into account the comments of the parties that were made subsequent to the quashing of the previous decision. Amended plans have also been provided to the appeal, primarily making minor changes to the layout of plot 36 and providing further detail in relation to shelter belt planting along the Wynyard Park boundary. The Council and interested parties have been provided with the opportunity to comment on these plans through the appeal process. Consequently, I am satisfied that the interests of the Council and third parties would not be prejudiced by my taking the amended plans into account in my determination of this appeal.

<sup>1</sup> Dated 20 February 2025

<sup>2</sup> Sealed Consent Order dated 19 August 2025 and dated 30 June and 1 July by the parties

<sup>3</sup> Paragraphs 6 and 7 of the Consent Order

## Main Issues

4. Therefore, the main issues in the appeal are:
- i) Whether the proposal would be an overdevelopment of the 'Wynyard Village Extension' masterplan, having particular regard to housing density, scale of development and supporting infrastructure; and
  - ii) The effect of the proposal on the setting of Wynyard Park Grade II\* listed park and garden.

## Reasons

### *Whether or not overdevelopment, having regard to the Wynyard masterplan*

5. In January 2017, outline planning permission (ref 13/0342/EIS) was granted for the construction of up to 500 dwellings, a primary school including sports facilities and nursery, retail units (up to 500m<sup>2</sup>), a doctors' surgery, community facilities, access, associated landscaping, footpaths and open space. That scheme, referred to as the Wynyard Village Extension (WVE), includes the appeal site. The primary school was subject of a separate planning permission (ref 17/0526/FUL) and it is now complete and operational.
6. The Stockton-on-Tees Local Plan (the LP) was adopted in January 2019. LP Policy H1 details the Council's existing housing commitments and allocations, including approximately 500 dwellings at Land at Wynyard Village (the WVE). Policy SD3 sets out the Council's housing strategy, including the promotion of a major new residential development at Wynyard comprising general market housing and executive housing in a high quality environment. Therefore, the principle of residential development has already been established.
7. In order to guide future development of a sustainable settlement at Wynyard, the Council published the Wynyard Masterplan Strategic Framework and Delivery document in November 2019. This refers to the LP housing commitment and sets out the context and development principles for individual projects including in terms of infrastructure, with reference to education, green and community infrastructure; improvements to the highway network; and delivery of executive housing at Wynyard Village. However, it is not a rigid blueprint for development or design of the Wynyard settlement.
8. I understand that reserved matters applications relating to the 2017 outline permission have been granted and development has commenced. However, neither the appeal site nor the land to the north of it (referred to as the Phase 1 site) were ultimately required to deliver the 500 dwellings. In this regard, outline permission (ref 20/2048/OUT) (all matters except access reserved) was granted in December 2022 for residential development for up to 130 units and new local centre on the Phase 1 site. Reserved matters applications for the housing (ref 22/2561/REM) and local centre and associated landscaping (ref 24/0430/REM) were subsequently granted.
9. Consequently, the total number of dwellings permitted across the WVE area already exceeds the 500 approved in the 2017 outline permission. However, that outline application had originally sought consent for 650 dwellings and the evidence indicates that the reduction in the number of dwellings was in response to highway issues around capacity and not other planning matters. In this regard, National

Highways confirm the acceptability of the proposal subject to a planned improvement scheme to the A19(T)/A689 junction and a travel plan. Even so, the proposed 135 dwellings (phase 2 development) would represent a significant increase in the number of dwellings originally anticipated across in the WVE area.

10. Historically the Wynyard area comprised the Wynyard Hall estate, agricultural land and woodland. However, it has undergone significant development since the late 1980s. As of 2010, Wynyard Village comprised over 800 dwellings, primarily large detached executive dwellings in generous plots. The settlement sits in a relatively well wooded landscape, which contributes to a sense of enclosure and assimilates and softens the built environment.
11. The proposal would deliver mostly 4 and 5 bed dwellings, with only a small number of 2 and 3 bed units. The overall increase in the number of dwellings across the WVE would result in higher density development than originally approved by the 2017 outline permission. Even so, the proposed density of 9.6 dwellings per hectare would still be low density and therefore in keeping with the established character of Wynyard. Moreover, while the arrangement and spacing of dwellings and plot sizes would vary, the generally large plots and extensive areas of open space would be in keeping with development elsewhere in the area and broadly in keeping with the indicative masterplan layout.
12. The previous Inspector noted the availability of services and facilities in Wynyard Village. The village centre includes a convenience store, hairdressers, pharmacist, dentist, estate agents and public house. Wynyard Hall provides a hotel and spa. Wynyard Walled Garden includes a café and glasshouse restaurant and there is a further restaurant at Wynyard Golf Club. There is a primary school, with hall and sports facilities available for community use. There is also a children's play area off Wynyard Woods and future residents would have ready access to outdoor open space for recreation. Furthermore, as noted above, there is planning permission for a local centre on land to the north of the appeal site which would provide further accessible services and facilities including potential medical centre, café, veterinary practice and retail units. Thus future occupiers would have reasonable access to services and facilities, including by sustainable transport modes.
13. Therefore, taking the above into account, I conclude that the proposal would not be overdevelopment, having regard to scale, housing density and the supporting infrastructure. As the proposal would be in keeping, it would not harm the character of Wynyard Village. Consequently, I find no conflict with the aims of LP Policy SD8 in relation to securing high quality development including in terms of residential amenity, making places better for people, responding positively to its surroundings and reinforcing local distinctiveness. The proposal would also accord with the aims of the National Planning Policy Framework (the Framework) in relation to development that would function well and be sympathetic to local character including the surrounding built environment and landscape setting.

*The setting of Wynyard Park Grade II\* listed park and garden (RPG)*

14. The appeal site comprises around 15.2ha of undeveloped agricultural land and coniferous plantation. It adjoins Wynyard Village to the north and east, with Castle Eden Walkway to the west and Wynyard Hall and Wynyard Park to the east.
15. Wynyard Park is an early 19<sup>th</sup> century designed landscape in the English garden tradition built for the Marquis of Londonderry. The park is contemporary with the

Grade II\* listed Wynyard Hall, and it reflects the wealth and ambition of the family. The part adjacent to the appeal site remains much as it was in the 19<sup>th</sup> century, at which time it was a racecourse possibly dating to the late 18<sup>th</sup> century tenure of Sir Henry Vane Tempest who owned one of the most successful racehorses of that period. Although somewhat peripheral to the main focus of the parkland around the Hall and the lake, the historic use and function of this part in association with the breeding and training of racehorses makes an important contribution to the significance and status of the park.

16. Historically, the appeal site was agricultural land associated with the Wynyard Estate and the deciduous woodland in the area was replanted with conifers following World War II. In this regard, the boundary of the woodland in the north east corner of the appeal site is formed by a path that follows the line of the historic racecourse. Notwithstanding the previous outline planning permission, the appeal site continues to comprise undeveloped land which allows the historic parkland to be experienced as it was intended, as a designed landscape in an isolated and secluded rural agricultural setting. For this reason, the appeal site makes a broadly neutral contribution to the setting and thus the significance of the RPG.
17. The plans considered by the Council illustrated that the line of the historic racecourse would be preserved by the creation of a footpath in a wide tree-lined corridor through the development. However, the appeal site would be comprehensively developed for housing including adjoining the boundary of the RPG. The proposal would be relatively low density development and with rear gardens backing onto the RPG. Nonetheless, by virtue of its scale and close proximity, the contemporary suburban housing development subject of the planning appeal would be a discordant feature that would significantly erode the secluded rural setting and thereby it would harm the significance of the RPG.
18. In its consultation response to the appeal, Historic England advised that the proposal would result in moderate harm to the significance of the RPG but this could be greatly reduced by creation of a tree shelter belt along its boundary, as exists along the majority of the boundary between parkland and village. Further plans<sup>4</sup> were then accepted during the processing of the appeal to illustrate a native tree shelter belt along the boundary between the park and the gardens. The depth was indicated as 13m, which is reasonably consistent with parkland transition arrangements elsewhere around Wynyard Park.
19. However, the previous Inspector noted that the illustrated shelter belt width was not consistent, being particularly constrained to the rear of plot 36 by the garage siting. There was also an absence of detail in relation to the proposed planting, the time it would take to reach maturity and uncertainty as to whether it would screen the proposal during winter when deciduous trees were not in leaf. Bearing in mind that the RPG in this case is an asset of the highest significance, I similarly find that the appeal scheme considered by the previous Inspector failed to demonstrate that it would preserve the significance of the designated heritage asset.
20. Following the quashing of the earlier appeal decision, and as noted above, further information and revised plans have been provided to the appeal. The re-siting of the garage closer to the dwelling in plot 36 and the shortened rear gardens would allow for a consistent 13m width of shelter belt planting (woodland buffer) to be

<sup>4</sup> Drawing No. 4280-Native-Tree-Belt-01.

achieved within the appeal site next to the RPG boundary. Plans have also been provided to illustrate an extended 18m woodland buffer which would include 5m of planting within the RPG. In both scenarios, the buffer would be outside of the residential gardens and it would be maintained by the appellant for the lifetime of the proposal.

21. The buffer planting would comprise a native woodland edge mix between a native species hedgerow on the RPG side and a native shrub mix to the rear of the residential gardens. The extended buffer would include a wider central woodland edge zone. Both proposed buffers would comprise taller trees together with lower-growing dense shrubs and hedgerow. The inclusion of evergreen species, together with *Fagus sylvatica* which can hold its leaves, would bolster the planting and aid screening during winter.
22. Inevitably, it would take several years for the planting to mature. As such there would be an adverse, albeit reducing, effect in the early years until the planting matured into a dense and tall screen between years 10 to 15 following planting.
23. This increased depth and quantum of planting in the extended buffer would provide a more immediate visual screen and it would better function to screen the housing over winter. It also seems likely it would better screen artificial lighting from the development and be more capable of absorbing any future recreational or pruning/felling pressure from neighbouring residents without compromising its primary screening function. I therefore consider that the extended 18m buffer would have a noticeably improved visual effect both immediately and in the longer term compared to the 13m buffer. Consequently, I find that the extended buffer would demonstrably be a more effective landscape screen than the 13m buffer, both in the early years and in perpetuity.
24. As noted, the extended buffer would include 5m of planting outside the appeal site. However, section 72(1) of the Town and Country Planning Act 1990 (as amended) sets out that conditions may be imposed on the grant of planning permission under section 70(1) for regulating the development or use of any land under the control of the applicant (whether or not it is land in respect of which the application was made) or requiring the carrying out of works on any such land, so far as appears to the local planning authority to be expedient for the purposes of or in connection with the development authorised by the permission.
25. In this case, the RPG is in the control of the appellant, and they have indicated their willingness to deliver the additional planting as part of the development proposed. The extended buffer would screen the development from the RPG. Importantly, the proposed RPG perimeter planting would be in keeping with the historic design and established character of the 19<sup>th</sup> century parkland. Upon maturity, it would preserve the historic sense of rural seclusion and enclosure to the RPG. Consequently, as the extended buffer would be necessary and relevant to the development to be permitted, I find that this is a matter that could be satisfactorily addressed by the imposition of a suitably worded planning condition.
26. Even so, until the proposed woodland buffer matured which is estimated to be between 10 to 15 years, the housing development would fail to preserve the setting and thereby it would harm the significance of the designated heritage asset drawing it into conflict with LP policies SD5, SD8 and H3 including in relation to reinforcing

local distinctiveness and conserving and where possible enhancing the significance of heritage assets.

27. Taking into account the scale and location of the proposal, I consider the harm would be at the lower end of less than substantial but nevertheless of considerable importance and weight. The Framework advises that in such circumstances, the harm should be weighed against the public benefits of the proposal.
28. The replacement of the somewhat industrial metal palisade fencing to the RPG boundary with traditional estate railings would be a modest benefit that carries limited weight. More significantly, the proposal would make a sizeable contribution to the Council's housing supply and there would be a large financial contribution towards affordable housing. Taking into account the shortfall in the Council's 5 year housing land supply (5YHLS), these benefits carry significant weight. The financial contribution towards education and the support for local employment and local businesses collectively carry moderate positive weight.
29. As noted, weighed against these benefits is the harm to the designated heritage asset. In this regard, the Framework affords great weight to the conservation of designated heritage assets and advises that the more important the asset, the greater that weight should be. In this case, the Grade II\* registered park and garden is an asset of the highest significance. Consequently, had the harm been permanent in duration, and in recognition of the significance of the RPG to the nation, I would have found that the harm would not be outweighed by the benefits of the proposal as did the previous Inspector. However, the harm would be relatively short-term in duration and its magnitude would decrease as the planting matured. I therefore find that the limited and temporary harm would be outweighed by the public benefits.

### **Other matters and planning balance**

30. I have been provided with a signed and dated planning obligation by deed of agreement under section 106 of the Town and Country Planning Act 1990 (the S106). As this is completed, I have taken it into account.
31. The affordable housing sum would be used by the Council towards affordable housing in the area. This is consistent with LP Policy H4 which requires that schemes of over 10 dwellings make provision for 20% affordable new homes but accepts off-site provision or a commuted sum where the proposal is for executive housing. In this case, the proposal would be market housing, predominantly executive, in accordance with LP Policy SD3. The sum has been calculated on the basis of 27 dwellings split between affordable rented and shared ownership and using average property prices at Wynyard. Therefore, the contribution would be necessary to make the development acceptable in planning terms, directly related and fairly and reasonably related in scale and kind to it.
32. The education contribution would be used to further primary and secondary school needs in the local area. This is necessary to meet the needs of the proposal and it is directly related to the development. As this has been calculated using the Council's standard methodology for school provision based on the proposed number of family homes, it is fairly and reasonably related in scale and kind.
33. The Local Labour Agreement requires the appellant to use reasonable endeavours to ensure that 10% of jobs are available to residents and 10% of the net value of

services and materials used in the development are provided by businesses in the Tees Valley. This would be in accordance with the local plan, directly related to the development by virtue of its employment generation, and reasonably and fairly related in terms of scale and kind.

34. The obligations are related to local plan requirements and therefore necessary to make the development acceptable in planning terms. They are directly related to the development and reasonably related in scale and kind to it. The planning obligations therefore comply with the tests set out in the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).
35. I have taken into account the concerns of interested parties. Based on the evidence, the proposal would have a negligible impact on the highway network subject to delivery of the previously identified mitigation along the A689 corridor and travel plan. These could be addressed by the imposition of planning conditions. Matters relating to overdevelopment and infrastructure are addressed above.
36. Open spaces and pedestrian links would be overlooked by properties to provide natural surveillance, in accordance with secure by design principles. There is little substantive evidence that there would be an increase in crime in the area or that the proposal would result in poor levels of privacy for future occupiers.
37. There would inevitably be more noise during construction and occupation compared to undeveloped agricultural land. However, construction would be temporary and hours of work would be limited. I am not aware that the residential development would give rise to any unusual or excessive noise such as would be detrimental to neighbouring residential occupiers.
38. The proposal would not result in adverse effects on the Teesmouth Special Protection Area (SPA). This is because foul discharges are via a long outfall pipe into the North Sea and as such the proposal would not result in increased nitrogen levels in the SPA. Mitigation for impacts on protected species during construction could be secured by planning condition. The application was submitted prior to the mandatory requirement for Biodiversity Net Gain, but nevertheless the evidence indicates that net gains for biodiversity in accordance with the Framework could be delivered as part of the scheme.
39. While I have taken into account the third party representations to the planning application and the appeal, the matters raised do not justify dismissing the appeal.
40. The Council's Housing Supply and Delivery: Annual Position Statement 2025/26 to 2029/30 (October 2025) sets out that Council's supply of deliverable housing sites for this period stands at 3367. Taking into account the 5-year supply requirement of 4153, the Council can currently demonstrate only a 4 year supply of deliverable housing sites.
41. Paragraph 11 of the Framework sets out that plans and decisions should apply a presumption in favour of sustainable development. Where the policies which are most important for determining the application are out of date, planning permission should be granted unless either of paragraph d)i. or ii. apply. In the absence of a 5YHLS, the Council's housing policies are out-of-date and therefore paragraph 11d) is engaged. As I have found that the heritage balance would be in favour of the proposal, no policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusal. Taking into account my finding in

relation to the first main issue, the proposal would not result in any adverse impacts that would significantly and demonstrably outweigh the benefits. Therefore, the presumption in favour of sustainable development applies and planning permission should be granted.

## Conditions

42. The Council suggests a list of planning conditions in the event the appeal was allowed. Subject to some minor suggested amendments, these have been agreed and accepted by the appellant. I have considered the conditions against the tests set out in the Framework and have amended them in places in the interests of precision or enforceability.
43. I have imposed the standard time limits condition (No 1) and a condition specifying the approved plans (No 2) in the interests of certainty. Plan numbers have been updated where necessary to reflect the revised development permitted and additional plans specifying the extended woodland buffer have been included. Conditions relating to materials (No 3), boundary treatments (No 4), soft and hard landscaping (Nos 12 and 13) and tree protection (Nos 15 and 16) are required, amongst other things, in the interest of the character and appearance of the area.
44. With reference to condition No 12 (landscaping), this is required in part to preserve the neighbouring designated heritage asset. I have therefore amended the wording to include specific reference to the woodland shelter belt along the RPG boundary. I have not amended the wording to allow for the landscaping to be delivered relative to the phasing of the development because the condition already makes provision for phased implementation and because the woodland buffer will need to be established at the earliest opportunity, irrespective of the phase of development to which it relates. I have amended the wording in relation to the duration of management because, as the appellant proposes, the woodland buffer will need maintaining for the lifetime of the development in order to preserve the RPG.
45. A construction management plan (No 5) and construction environment management plan (No 6) are necessary in the interests of highway safety and to protect residential amenity and biodiversity during construction. A restriction on the hours of construction (No 7) will also protect neighbouring residential amenity.
46. Details of artificial illumination (No 9) are required to protect residential amenity and trees, while conditions No 8 (site levels) and No 14 (footpath) are necessary in the interests of the character and appearance of the area, environmental and biodiversity protection.
47. Further details of trees in and adjacent to the adopted highway (No 10) are required in the interests of maintenance and safe operation of the highway, the latter also justifies the imposition of condition No 29 (residential travel plan) and No 30 (highway improvement scheme). The provision of cycleways and footpaths (No 18) supports sustainable forms of transport.
48. The provision of public open space (No 11), placemaking nodes (No 17) and facilities for bins/refuse (No 26) are necessary in the interests of character and appearance, residential amenity and placemaking.
49. A scheme for sustainable surface water drainage (Nos 19 and 20) is necessary to mitigate the risk of surface water flooding to the development and the surrounding

- area. Measures to address unexpected land contamination (No 27) and radon gas (No 28) are necessary to protect the environment and human health.
50. Measure to mitigate adverse effects on protected species (No 21), repeat survey (No 22), pre-works checks (No 23) and biodiversity gain plan (No 24) are necessary to protect and enhance biodiversity. A scheme of archaeological recording (No 31) is necessary because of the possible presence of on-site archaeological remains.
51. The provision of ducting infrastructure to facilitate fibre connections to all new development (No 25) is essential for economic growth and social wellbeing. The retention of garages (No 32) and the removal of permitted development rights relating to boundary treatments (No 33) are necessary to provide adequate parking provision and to protect character and appearance and residential amenity.
52. A number of conditions are pre-commencement, including construction management plans, details of the schemes of public open space and footpaths/cycleway, surface water management, tree protection and biodiversity gain plan. These details need to be agreed before works start because they affect how the development as a whole is undertaken and delivered.

### **Conclusion**

53. For the reasons set out above, I find that there would be some limited conflict with heritage policies of the development plan but I am satisfied that the proposal would be in accordance with the development plan as a whole.
54. Therefore, I conclude that the appeal should be allowed subject to the conditions in the attached schedule.

*Sarah Manchester*

INSPECTOR

## Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Building Materials – Boundary Types (P2-PL-05 Rev B);
  - M42/M43 Compliance Plan (P2-PL-10 Rev B);
  - Boundary Treatments (P2-PL-09);
  - External Materials Plan (P2-PL-06 Rev B);
  - Site Plan (P2-PL-02-2 Rev B);
  - Site Plan (P2-PL-02-1 Rev B);
  - House Type 8 Proposed Plans (HT-8-02 Rev A);
  - House Type 8 Proposed elevations - traditional (HT-8-01 Rev A);
  - House Type 8+ Proposed Plans – traditional (HT-8+-02 Rev A);
  - House Type 8+ Proposed elevations (HT-8+-01 Rev A);
  - House Type 7 Proposed plans – traditional (HT-7-04 Rev A);
  - House Type 7 Proposed elevations – traditional (HT-7-03 Rev A);
  - House Type 7+ Proposed plans – traditional (HT-7+-04 Rev A);
  - House Type 7+ Proposed elevations – traditional (HT-7+-03 Rev A);
  - House Type 6 Proposed plans – traditional (HT-6-04 Rev A);
  - House Type 6 Proposed elevations – traditional (HT-6-03 Rev B);
  - House Type 6 Proposed plans – barn (HT-6-02 Rev B);
  - House Type 6 Proposed elevations – barn (HT-6-01 Rev B);
  - House Type 6+ Proposed plans – traditional (HT-6+-04 Rev B);
  - House Type 6+ Proposed elevations – traditional (HT-6+-03 Rev B);
  - House Type 6+ Proposed plans – barn (HT-6+-02 Rev B);
  - House Type 6+ Proposed elevations – barn (HT-6+-01 Rev B);
  - House Type 3 Proposed plans – barn front aspect (HT-3-06 Rev A);
  - House Type 3 Proposed elevations – barn front aspect (HT-3-05 Rev A);
  - House Type 3 Proposed plans – barn side aspect (HT-3-04 Rev A);
  - House Type 3 Proposed elevations – traditional (HT-3-03 Rev A);
  - House Type 3 Proposed plans – barn side aspect (HT-3-02 Rev A);
  - House Type 3 Proposed elevations – barn side aspect (HT-3-01 Rev A);
  - House Type 2 Proposed plans – barn (HT-2-02 Rev A);
  - House Type 2 Proposed elevations – barn (HT-2-01 Rev A);
  - House Type 12 Proposed plans (HT-12-04 Rev A);
  - House Type 12 Proposed elevations – traditional (HT-12-03 Rev A);
  - House Type 12 Proposed plans – barn (HT-12-02 Rev B);
  - House Type 12 Proposed elevations – barn (HT-12-01 Rev B);
  - House Type 12 Proposed plans (HT-12+-04 Rev A);
  - House Type 12 Proposed elevations – traditional (HT-12+-03 Rev A);
  - House Type 12 Proposed plans – barn (HT-12+-02 Rev B);
  - House Type 12 Proposed elevations – barn (HT-12+-01 Rev B);
  - House Type 11 Proposed elevations – traditional (HT-11-07 Rev A);
  - House Type 11 Proposed plans (HT-11-06 Rev A);
  - House Type 11 Proposed ground floor plan inc garage (HT-11-05 Rev A);
  - House Type 11 Proposed elevations inc garage – barn (HT-11-04 Rev A);
  - House Type 11 Proposed elevations inc garage - barn (HT-11-03 Rev A);
  - House Type 11 Proposed plans – traditional (HT-11-02 Rev B);

House Type 11 Proposed elevations – barn (HT-11-01 Rev B);  
House Type 10 Proposed plans (HT-10-02 Rev C);  
House Type 10 Proposed elevations (HT-10-01 Rev C);  
Home Office Proposed plans (HO-02 19);  
Home Office Proposed elevations – trad (HO-01);  
Site Plan – Context – Colour (P2-MP01 Rev B);  
Landscape Masterplan (C-2044-03 Rev B) (as amended by 4879-102 Rev B);  
Landscape Buffer to Parkland – extended zone (4879-102 Rev B);  
Planting Plan (1 of 2) – Landscape Buffer extended zone (4879-203);  
Planting Plan (2 of 2) – Landscape Buffer to Parkland (4879-204);  
Bungalow Type 1 Proposed Plan – Barn Style (BT-1-04 Rev B);  
Bungalow Type 1 Proposed Elevations – Barn Style (BT-1-03 Rev B);  
Bungalow Type 1 Proposed Plan - Traditional (BT-1-02 Rev A);  
Bungalow Type 1 Proposed Elevations - Traditional (BT-1-01 Rev A);  
Materials Layout (2310.03);  
Proposed Site Layout (2310.01 Rev B);  
House Type T18 Floor plans and elevations (2310-P-T18-01);  
House Type T17 Elevations (2310-P-T17-02);  
House Type T17 Floor Plans (2310-P-T17-01);  
House Type T16 Elevations (2310-P-T16-02);  
House Type T16 Floor plans (2310-P-T16-01);  
House Type T15 Floor Plans and elevations (2310-P-T15-01);  
House Type T13 Floor plans and elevations (2310-P-T13-01);  
Location Plan (P2-PL-01 21 December 2022);  
Residential block – Local centre – plots 71-76 (LC-02);  
Double garage – trad proposed elevations (DG-02 Rev A);  
Double garage – trad proposed elevations (DG-01-Rev A).

- 3) Notwithstanding the submitted details in the application, the external walls and roofs of any phase of development shall not be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the dwellings hereby permitted for that phase of development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) Prior to the erection of any means of enclosure within any phase of the development hereby permitted, details of all means of enclosure for that phase of development shall be submitted to and approved in writing by the local planning authority. This shall include all acoustic barriers, walls, fences, entrance feature walls, hedgerows and knee rail fencing. This shall also include the specification for holes in boundary walls and fences at ground level to allow for the movement of hedgehogs. The means of enclosure shall be completed in accordance with the approved details prior to first occupation of the development or approved phases.
- 5) No development shall take place until a Construction Transport Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall provide details of:
  - the site construction access(es), including location and method of construction;
  - the parking of vehicles of site operatives and visitors;

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

The approved CTMP shall be adhered to throughout the construction period.

- 6) Prior to the commencement of the development hereby permitted, a detailed Construction Environmental Management Plan (CEMP) for each phase shall be submitted to and agreed in writing by the local planning authority. This shall include details of all proposed excavations, piling, construction, machinery used (including location) and associated mitigations, in accordance with BS 5228:1997. It shall also include all measures to be undertaken to protect habitats and wildlife during the construction phase of the development identified in the submitted ecology reports by OS Ecology - Ecological Appraisal (November 2022); Great Crested Newt Assessment (November 2022); Bat Survey (October 2022); Badger Report (October 2022).

The approved CEMP shall be adhered to throughout the construction period.

- 7) No construction/demolition works, or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 8.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.
- 8) Prior to the commencement of each phase of development, details of the existing and proposed levels of the site for that phase, including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 9) Prior to the commencement of any above ground construction on any phase of the development hereby permitted, full details of the method of external LED illumination and the position of all columns for that phase of development shall be submitted to and agreed in writing by the local planning authority to avoid conflict with the positions of trees as approved under condition 10. The lighting shall be implemented in accordance with the approved details prior to the occupation of the dwellings in that phase of development.

- 10) Prior to commencement of above ground construction for any phase of the development, details of arrangements for the planting of street trees and protection of the adopted highway in that phase of development from tree root damage shall be submitted to and approved in writing by the local planning authority. Root barriers will be required where trees are planted within 2m of the adopted highway. Development shall be carried out in accordance with the approved details.
- 11) No development shall commence until details of the scheme for the Public Open Space (POS) within the site have been submitted to and approved in writing by local planning authority, including:
- The delineation and siting of the POS including consideration of the 'landscape for play' approach;
  - The phasing for delivery of the POS across the site;
  - Existing and proposed ground levels for all the POS and any associated mounding. Mounding details shall also include typical cross sections, at a minimum scale of 1:200 illustrating topsoil capping and core materials, side slope gradients that shall not exceed 1:5 and indicative heights. Placed soil materials shall be of a suitable depth and compaction to ensure successful grass, shrub and tree establishment;
  - The type and nature of the facilities to be provided within the POS which shall comprise of play equipment for all age groups including young children and teenagers which shall be supplied and installed to a specification as agreed by the local planning authority;
  - Details of the preparation, cultivation, grading and drainage of large grassed areas of POS;
  - Details of street furniture within POS;
  - The arrangements the developer shall make for the future management of the POS including water courses which pass through the site.
  - Where Title Transfer is not proposed the management details shall be prepared for a minimum period of 25 years from practical completion of the completion of the final phase of the POS works and include details of the appointed management company.
- The open space shall be completed in accordance with the approved details and any phasing arrangements agreed.
- 12) Prior to the first occupation of any phase of the development, full details of soft landscaping and associated maintenance shall be submitted to and approved in writing by the local planning authority. These shall include:
- a detailed planting plan and specification of works including the creation of a shelter belt along the eastern boundary of the site in accordance with drawing number 4879-102 Rev B Landscape Buffer – Extended Zone (indicating soil depths, plant species, numbers, densities, locations, interrelationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers);
  - a phasing programme for the implementation of landscaping and associated soft landscaping maintenance;
  - details of all existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan.

The soft landscaping works including all planting works shall be carried out in accordance with the approved details and in the first available planting season in accordance with the implementation programme.

The soft landscape maintenance details shall include details of access routes to demonstrate operations can be undertaken from publicly accessible land (or the neighbouring Wynyard Park in the case of the shelter belt), long term design objectives, management responsibilities and maintenance schedules for all landscape areas and retained vegetation other than privately owned domestic gardens.

Before the development is first occupied, a schedule of landscape maintenance for the initial 5 year establishment phase from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for the lifetime of the development shall be submitted to and approved in writing by the local planning authority.

All landscaping shall be maintained in accordance with the approved landscape maintenance and management plan.

Any vegetation within a period of 5 years from the date of planting that is dying, damaged, diseased or in the opinion of the local planning authority is failing to thrive shall be replaced within the first available planting season by another of the same size and species as that originally planted.

- 13) No above ground construction shall commence on any phase of development until full details of proposed hard landscaping including the highway materials for that phase of development have been submitted to and approved in writing by the local planning authority. This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed in accordance with the approved details, including an approved timetable / delivery programme. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.
- 14) Prior to the occupation of any phase of the development, details of the footpath running north to southeast through the development along the line of 'The Racecourse' shall be submitted to and approved in writing by the local planning authority. This shall include details of all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings, and a timetable for the construction of the footpath. The footpath shall be completed in accordance with the approved details prior to the occupation of the development hereby approved. Any footpath defects in materials or workmanship appearing within a period of 12 months from completion of the development hereby permitted shall be made-good by the owner as soon as practicably possible.
- 15) No development shall commence until an Arboricultural Method Statement and Tree Protection Plan have been submitted to and approved in writing by the local planning authority. These shall be in accordance with the following documents (or equivalent if replaced): British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations; British Standard 3998:2010 Tree Work – Recommendations; and NJUG Guidelines For the

Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2) – Operatives Handbook 19th November 2007.

The approved scheme for the protection of retained trees shall be carried out prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

- 16) Prior to commencement of any works, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the local planning authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall be carried out in accordance with the approved details.
- 17) Prior to first occupation of any phase of the development hereby approved, details of Placemaking Nodes within the development layout shall be submitted to and approved in writing by the local planning authority. A node shall be provided as shown indicatively on the Landscape Masterplan drawing C-2044-03-Revision A and shall include hard and soft landscaping and street furniture.
- 18) Prior to commencement of the development hereby permitted, full details of the pedestrian/cycleway link from the development to the Castle Eden walkway shall be submitted to and approved in writing by the local planning authority. The cycleway and pedestrian links shall be completed in accordance with the approved details and any associated phasing plan. Thereafter the pedestrian/cycleway link shall remain open for public use at all times and shall be maintained in accordance with the approved details for the lifetime of the development.
- 19) No development shall take place until a detailed Sustainable Surface Water Drainage Scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include but not be restricted to providing the following details:
  - I. Detailed design of the surface water management system (for each phase of the development);
  - II. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
  - III. A management and maintenance plan detailing how surface water runoff from the site will be managed during the construction phase;
  - IV. Details of adoption responsibilities.The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.
- 20) No building hereby permitted shall be occupied until:
  - I. Requisite elements of the approved surface water management scheme for the development, or any phase of the development, are in place and fully operational to serve that building;
  - II. The drawings of all Suds features have been submitted to and approved in writing by the local planning authority; the drawings should highlight all site

- levels, including the 30year and 100year+cc flood levels and confirmation of storage capacity;
- III. A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted to and approved in writing by the local planning authority, to include the funding arrangements and covering the lifetime of the development.
- 21) The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and compensation measures set out within the submitted reports by OS Ecology - Ecological Appraisal (November 2022); Great Crested Newt Assessment (November 2022); Bat Survey (October 2022); Badger Report (October 2022).
- 22) If work does not commence within 2 years from the date of the submitted OS Ecology – Ecological Appraisal report (November 2022) then, within the 3 month period prior to the commencement of works, a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted to and approved in writing by the local planning authority and any additional or revised mitigation measures shall be implemented in full.
- 23) As detailed in BS 3998:2010, prior to work commencing, any trees and their surroundings shall be assessed by a suitably qualified ecologist for the presence of protected species. Any works shall be planned so as to limit their potential adverse impact on wildlife generally. The timing of works shall take account of the seasonal cycles of the species of fauna and flora concerned (including the nesting habits of birds and the egg-laying habits of insects).
- 24) No development shall commence until a Biodiversity Gain Plan (showing a positive gain) has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Gain Plan shall include information about the steps that will be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and the site's pre- and post development biodiversity value. The agreed plan shall be implemented in accordance with the approved details and be retained thereafter for the lifetime of the development.
- 25) Open access ducting to facilitate fibre and internet connectivity shall be provided from the homes to the public highway.
- 26) Prior to the occupation of the dwellings hereby permitted, each plot shall be provided with the appropriate means of waste and recycling provision in accordance with the applicable Council standards.
- 27) Any previously unidentified contamination that is found during the course of construction shall be reported immediately to the local planning authority. Development on that part of the site affected by the unexpected contamination shall be halted until an investigation and risk assessment has been carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found, the development or relevant phase shall not resume until remediation and verification schemes have been carried out in

accordance with details that shall first have been submitted to and approved in writing by the local planning authority.

- 28) No development shall commence on any phase of development until details of the gas protection design for radon for that phase of development has been submitted to and approved by the local planning authority. The assessment and design shall be carried out in accordance with BRE Report BR211 (2015) Radon: Protective Measures for New Buildings. Where required, the approved gas protection measures shall be verified and approved by the Building Control Department within Stockton Borough Council or other approved Building Control Inspector. Details of the verification of installation shall be provided to the Environmental Health Department within Stockton Borough Council prior to occupation of any of the dwellings hereby permitted.
- 29) The development hereby permitted shall be occupied in accordance with the approved Residential Travel Plan for the site (December 2023) which shall remain in perpetuity unless otherwise amended in accordance with a review to be submitted to and approved in writing by the local planning authority.
- 30) No dwelling hereby permitted shall be occupied unless and until the highway improvement scheme at the A19/A689 Wolviston junction, shown in principle on Drawing number 276864-ARP-ZZ-XX DR-CH-0101 & Drawing Number 276864-ARPZZ-XX-DR-CH-0102, has implemented in accordance with the approved details and to the satisfaction of the local planning authority.
- 31) Prior to the development of the mid-19th century reservoir as shown on the 1855 Ordnance Survey map, a photographic survey of the reservoir shall be carried out by a suitably qualified heritage professional. A report of the survey findings shall be submitted to and approved by the local planning authority. No development of the reservoir shall take place without the prior written approval of the local planning authority.
- 32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage which would preclude its use for housing motor vehicles.
- 33) Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no walls, fences, railings or other form of boundary enclosures shall be erected between any point taken in line with the properties front elevation and the highway unless otherwise approved in writing by the local planning authority.

## **End of Schedule**