

Review of Development Limits Background Evidence Report (December, 2016)

Introduction

- 1.1 The Council is currently in the process of preparing its new Local Plan which, when adopted, will form the statutory development plan for the borough and would replace the existing policies contained within the Local Development Framework Core Strategy and Development Policies DPDs and the 'saved' policies from the former Local Plan (1999).
- 1.2 As part of this process, the Council has undertaken a review of its Development Limit boundaries to ensure that they support the development being proposed through the emerging Local Plan and that any other amendments are made, where necessary, to ensure that they are up-to-date.
- 1.3 This review of Development Limits has, therefore, considered the following issues:
 - Issue 1: to revise Development Limits to reflect new allocations made in the emerging Local Plan, which includes sites that have already been granted planning permission.
 - Issue 2: to consider whether to establish Development Limits around the smaller settlements which are currently located outwith Development Limits.
 - Issue 3: to review Development Limits around community buildings and schools on the edge of settlements to ensure a consistent approach.
 - Issue 4: to revise Development Limits to reflect developments which have taken place on the edge of settlements since Development Limits were defined in the former Local Plan in 1999, and to correct any anomalies.

Background

- 2.1 Currently the Local Development Framework seeks to promote sustainable forms of development by restricting development outside of Development Limits to those types of development which require a countryside location.
- 2.2 Policy DP1 of the Development Policies DPD sets out the Council's current approach for dealing with planning applications outside of Development Limits. The policy indicates that development proposals outside of Development Limits will not be supported unless the proposals would meet one of the following exceptions criteria:
 - a) housing essential for farming, forestry or the operation of a rural based enterprise; or
 - b) housing meeting the rural exceptions policy; or
 - c) an appropriate diversification of an existing agricultural or forestry activity; or
 - d) a recreation or tourism proposal requiring a countryside location; or
 - e) facilities essential to social and community needs; or
 - f) the replacement of an existing dwelling;
 - g) a suitably scaled extension to an existing building; or
 - h) the conversion or reuse of a suitable existing building; or
 - i) other development requiring a countryside location due to technical or operational reasons.

- 2.3 This approach was closely aligned to national policy at the time set out within Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7).
- 2.4 In March 2012, the Government published the National Planning Policy Framework (NPPF) which has replaced Planning Policy Statements and Planning Policy Guidance Notes, including PPS7.
- 2.5 It is considered that Policy DP1 is largely consistent with the NPPF. However, the NPPF does allow some greater flexibility for development in the countryside over and above that permitted in the exceptions criteria set out in Policy DP1. The additional types of development which would be permissible outside of Development Limits under the NPPF are the following:
- development which would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; and
 - dwellings where the exceptional quality or innovative nature of the design of the dwelling would be truly outstanding or innovative, helping to raise standards of design more generally in rural areas, reflect the highest standards in architecture, significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.
- 2.6 The existing Development Limit boundaries were established in 1999 as part of the preparation of the former Local Plan. It was intended to review and update the Development Limit boundaries as part of the preparation of Communities DPD, which would have set out the Council's policies, designations and allocations for housing and community infrastructure. As part of this process, the Council undertook a review of its Development Limit boundaries and published a report into this alongside the Communities DPD. Consultation was undertaken on a preferred options draft of the Communities DPD in spring 2009, which included consultation on proposed amendments to the Proposals Map. The proposed amendments to the Proposals Map included changes to Development Limits, which were evidenced through the Review of Development Limits Background Evidence Report. However, following the publication of the NPPF, the Council decided to instead prepare a new Local Plan which would update and consolidate policies within the adopted Local Development Framework and those within the emerging Communities and Economy DPD into one document.
- 2.7 This paper draws on the previous work and consultation undertaken, updated to reflect development needs identified in the evidence base for the new Local Plan. The paper has also been updated following consultation on the Draft Local Plan.

Redefined boundaries

- 3.1 The 1999 boundaries have been reviewed across the Plan area based on consideration of four issues.

Issue 1: Emerging site allocations in the Draft Local Plan

- 3.2 In selecting the proposed site allocations in the Draft Local Plan, the following broad issues have been taken into consideration:
- the emerging Locational Policy in the Draft Local Plan;
 - a sequential approach to site selection ;
 - access to services; and
 - policy designations and issues.
- 3.3 The emerging Locational Policy (SD2) seeks to direct the majority of development (at least 60%) towards the borough's larger and more sustainable settlements in the urban and coastal areas. Up to 40% of new development will take place within the rural communities.
- 3.4 A sequential approach has then been followed giving priority to available and deliverable brownfield land and other acceptable sites within the existing development boundaries as they tend to have better access to facilities including public transport, are usually connected to service infrastructure networks and are likely to be of less environmental or agricultural value than peripheral greenfield sites.
- 3.5 After taking into account commitments and sites within settlement limits, the most sustainable and acceptable greenfield sites outside of limits have been selected to make up the identified residual requirement. Development limits have, therefore, be amended to accommodate these site allocations.

Issue 2: Limits around smaller settlements

- 3.6 There are a number of small and rural settlements that do not have Development Limits defined. As part of this assessment, consideration has been given to identifying limits in these locations.
- 3.7 As indicated above, in considering potential housing sites, a sequential approach has been adopted in accordance with locational strategy, which concentrates the majority of development in the main urban and coastal area, and the settlement hierarchy which directs development towards our larger settlements.
- 3.8 Sites in these smallest settlements tend to be unsustainable, and are the least sequentially preferable, as they lack access to amenities to support new development and are generally inaccessible by good public transport links.
- 3.9 It would only be appropriate to define limits in these locations if there were insufficient sites in more sustainable locations, and it was necessary to identify development areas in these locations to meet our identified housing needs.

- 3.10 We have concluded that there are sufficient sites either within the existing limits to development, or through appropriate extensions to development limits, to accommodate sufficient housing sites in the rural area. The allocation of these sites, in accordance with the sequential approach, is considered to provide the most sustainable option for delivering housing. Furthermore, in the case of villages such as Liverton, Moorsholm, Newton-under-Roseberry and Upleatham it is considered that a continued policy of allowing further development, including infilling, would erode the special character of these settlements. Therefore, it is considered inappropriate to identify development limits around the smaller settlements as this would lead to unnecessary, unsustainable development which could be detrimental to the special character of the villages.
- 3.11 It was also considered whether current development limits around our smaller villages should be retained, or whether development limits should only be identified around our larger 'service villages' as identified in the settlement hierarchy. However, following review it was concluded that where development limits already existed around our smaller villages, there were limited sites which could come forward for development. Therefore, retaining these limits would be unlikely to lead to unsustainable development.

Issue 3: Community buildings and schools on the edge of settlements

- 3.12 The existing Development Limits have not followed a consistent approach to defining limits around community buildings and schools. Most of these buildings are located within Development Limits but there are several exceptions which were either not included originally or have been built/granted permission subsequently on land outside of limits. The review of Development Limits is an opportunity to ensure that a consistent approach is adopted in defining Development Limits.
- 3.13 At present if a community building or school lies outside of Development Limits and the site becomes redundant then the redevelopment on that site would be restricted to the exceptions stated in Policy DP1.
- 3.14 The review has considered the implications of including all of the buildings and curtilage within Development Limits. However as school playing fields provide important sports facilities for the community, it is proposed that they should be excluded from Development Limits where possible.
- 3.15 It is recommended that generally the built form and associated hard surfacing of community buildings and schools be included within Development Limits. The associated greenfield areas have generally be excluded, but the precise limits were considered on a case by case basis.

Issue 4: Developments which have already taken place beyond Development Limits, and correcting anomalies

- 3.16 There are a number of circumstances where development has already taken place, or commenced, beyond the established development limit boundary. As such, development limits have been amended to include developed sites, or sites under development.
- 3.17 There are a few instances where existing Development Limits need to be reviewed to correct anomalies that have arisen, for example where:
- established buildings, or sites where planning permission has been granted for built development, straddle Development Limits;
 - the precise boundary of Development Limits is not clear; and
 - site boundaries or curtilages have changed, and an amendment can be justified.
- 3.18 Development Limits have, therefore, been reviewed so that:
- in cases where buildings or proposed development straddles Development Limits, the built up part of the site will generally be included within Development Limits.
 - in instances where Development Limits cut through the middle of plots or buildings and/or curtilages have changed, Development Limits will generally include the built up part of the site. Gardens and open areas will generally remain outside of Development Limits.
- 3.19 Where development was granted outside of development limits due to proposals meeting specific criteria, such as holiday lets or agricultural dwellings, these sites have generally been excluded from inclusion within limits.

List of Changes

3.20 The following tables summarise proposed changes to development limits by sub-area, and reasons for amendments based on the four issues. Alterations are also illustrated on maps in Appendix 1.

Urban area

Issue	Location	Amendment	Reason	Map DWG No.
4	River Tees	Boundary altered to exclude the River Tees from development limits.	To address anomaly and reflect extent of built development.	DL1
4	Dabholm Gut and Bran Sands Lagoon	Boundary altered to exclude potential SPA expansion from development limits.	Habitats Regulations Assessment of the Draft Local Plan and consultation response.	DLP1
1/4	High Farm, Teesville/ Normanby	Boundary extended to include ongoing new development at High Farm, Teesville and adjacent new allocation at Normanby High Farm within development limits.	To reflect ongoing development at High Farm, Teesville. The proposed allocation at Normanby High Farm adjoins this development. The site is in a sustainable location within the urban core and has good access to a range of facilities. Therefore, the site was considered a sequentially preferable location to accommodate new development on a greenfield site outside of limits.	DL2
1/4	Spencerbeck Farm, Ormesby	Boundary extended to include permitted development at Spencerbeck Farm, which is allocated in the Plan, and adjacent housing on Normanby Road, within development limits.	To reflect permission granted at appeal in March 2016, and inclusion of the site as an allocation in the Local Plan. The site is a sustainable location, with good transport connections and amenities. Housing adjacent to the site on Ormesby Road has also been included within development limits to more accurately reflect the extent of built development in the area.	DL2
1	Longbank Farm, Ormesby	Boundary extended to include permitted development at Longbank Farm, which is allocated in the Local Plan, within development limits.	To reflect permission granted at appeal in March 2016, and inclusion of the site as an allocation in the Local Plan. The site forms an extension to the built up area on Ormesby Bank and is a sustainable location, with access to transport connections and amenities.	DL3

Issue	Location	Amendment	Reason	Map DWG No.
1	Swan's Corner, Nunthorpe	Boundary extended to include proposed housing allocation within development limits.	The site is bordered by developments on three sites and enclosed by the A171. As such, development would round-off rather than extend the built-up area. The site is underused urban land in an established residential neighbourhood and is in a highly sustainable location. Therefore, the site was considered a sequentially preferable location to accommodate new development on a greenfield site outside of limits.	DL3
3	Nunthorpe Academy and Primary School	Boundary extended to include the school buildings within development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL3
1	Morton Carr Lane, Nunthorpe	Boundary extended to include proposed housing allocation within development limits.	The site is a large underused area of land in a sustainable location with good access to services and the A1043 Nunthorpe by-pass establishing a defensible boundary to the south. Therefore, the site was considered a sequentially preferable location to accommodate new development on a greenfield site outside of limits.	DL3
1	Gypsy Lane, Nunthorpe	Boundary extended to include permitted development at Gypsy Lane, which is allocated in the Local Plan, within development limits.	To reflect permission granted for residential development on the site. The site is located in an established residential area and a highly sustainable location. The site provides an opportunity for a small infill scheme 'rounding off' the housing along the north side of Gypsy Lane. The site boundary has been amended in the Publication Local Plan to reflect the updated permission which extends the site area and incorporates drainage infrastructure and a revised highways layout.	DL3
4	Electricity sub-station,	Boundary amended to exclude a small section of the sub-	To correct anomaly and ensure a consistent approach, the majority	DL4

Issue	Location	Amendment	Reason	Map DWG No.
	Lackenby	station from development limits.	of the sub-station is located outside of development limits.	
4	Greystone Road, Lackenby	Boundary amended to exclude the highway at Greystone Road from development limits.	To correct anomaly and ensure a consistent approach in the Local Plan.	DL4

Coastal area

Issue	Location	Amendment	Reason	Map DWG No.
4	Plantation Road, Redcar	Small amendment to include housing at Plantation Road within development limits.	To reflect existing housing development.	DL5
1	Land at Mickle Dales, Redcar	Boundary amended to include ongoing development at Rowan Garth and adjacent allocation at Mickle Dales, Redcar within development limits.	To reflect ongoing development at Rowan Garth, Redcar. The proposed allocation at Mickle Dales is in a broadly sustainable location adjacent to the Redcar built-up area. The A174 provides a definitive and defensible boundary to the southern edge of Redcar and, following the completion of Rowan garth, development would 'round-off' the built-up area at that point. Therefore, the site was considered a sequentially preferable location to accommodate new development on a greenfield site outside of limits.	DL6
3	Outwood Academy Byedales, Marske	Boundary amended to include school buildings within development limits but exclude playing fields.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL6
4	Redcar Foreshore	Boundary has been amended to exclude the foreshore area from within development limits.	To address anomaly and reflect extent of built development.	DL7
1	Marske Road, Saltburn	Boundary amended to include permitted development at Marske Road, which is allocated in the Local Plan, within development limits.	To reflect permitted scheme. The site is located at the western edge of Saltburn, and is adjacent to a main bus route, with 1.2km of local schools and leisure	DL8

Issue	Location	Amendment	Reason	Map DWG No.
			facilities, and 1.8km from the town centre and railway station. Saltburn has undergone limited development overall several decades. Potential expansion of the town is physically constrained by the coast to the north and steep topography to the east and south. This site provides an opportunity to achieve a major development to help meet housing needs and aspirations, broaden choice and support community services, without significantly undermining the strategic gap with Marske.	
4	Four Seasons Care Centre, Saltburn	Boundary amended to include Care Centre within development limits.	To correct anomaly to reflect extent of built development and ensure a consistent approach in the Local Plan.	DL8
3	Saltburn Learning Campus	Boundary amended to remove playing fields from within development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL8

Rural area

Issue	Location	Amendment	Reason	Map DWG No.
4	Land to the west of Guisborough (Pine Hills and Galley Hill)	Boundary amended to include the on-going Pine Hills residential development, the on-going Galley Hill residential development and new housing allocation adjacent to Galley Hill.	To reflect the new extent of built development as a result of the on-going residential developments at Pine Hills and Galley Hill. The new allocation, land at Galley Hill, is situated between established housing to the south, the ongoing Galley Hill residential development to the west and the A171 to the north. It therefore presents a logical residential infill opportunity, following on from and linked to the existing development. The site is in a sustainable location and is therefore considered a sequentially preferable location	DL9

Issue	Location	Amendment	Reason	Map DWG No.
			to accommodate new development on a greenfield site outside of limits.	
3	Chaloner Primary School and allotment gardens to the North of Guisborough	Boundary amended to exclude playing fields at Chaloner Primary School, and allotment gardens to the north, from within development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL10
3	Lockwood Primary, Boosbeck	Boundary amended to include Lockwood Primary School buildings within development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL11
3	Hall building, Boosbeck	Boundary amended to include hall adjacent to substation within development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL11
1	Abattoir site and adjacent land, Boosbeck	Boundary extended to include proposed housing allocation within development limits.	The abattoir site is currently unused. As it is integral to the residential built-up area, its redevelopment for housing would provide a more suitable use for the site. To support the redevelopment of the site and its viability for housing, additional land to the rear which currently forms part of the Pit Park open space has been included within the allocation. However, the core of the open space, including the formal play areas, should be retained.	DL11
3	Lingdale Primary School	Boundary amended to exclude playing fields from development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL12
4	The Forge, Stanhow Cross Road, Stanghow	Boundary amended to include The Forge (bungalow) within development limits.	The redevelopment of this site has meant that the dwelling is located outside of current development limits. The inclusion of The Forge site within development limits would merge the two sections of development limits of the village into one.	DL12
4	Lantsberry Drive, Liverton Mines	Boundary amended to exclude land at Lantsberry Drive from development limits.	This parcel of land near Lantsberry Drive is currently agricultural land and is not	DL13

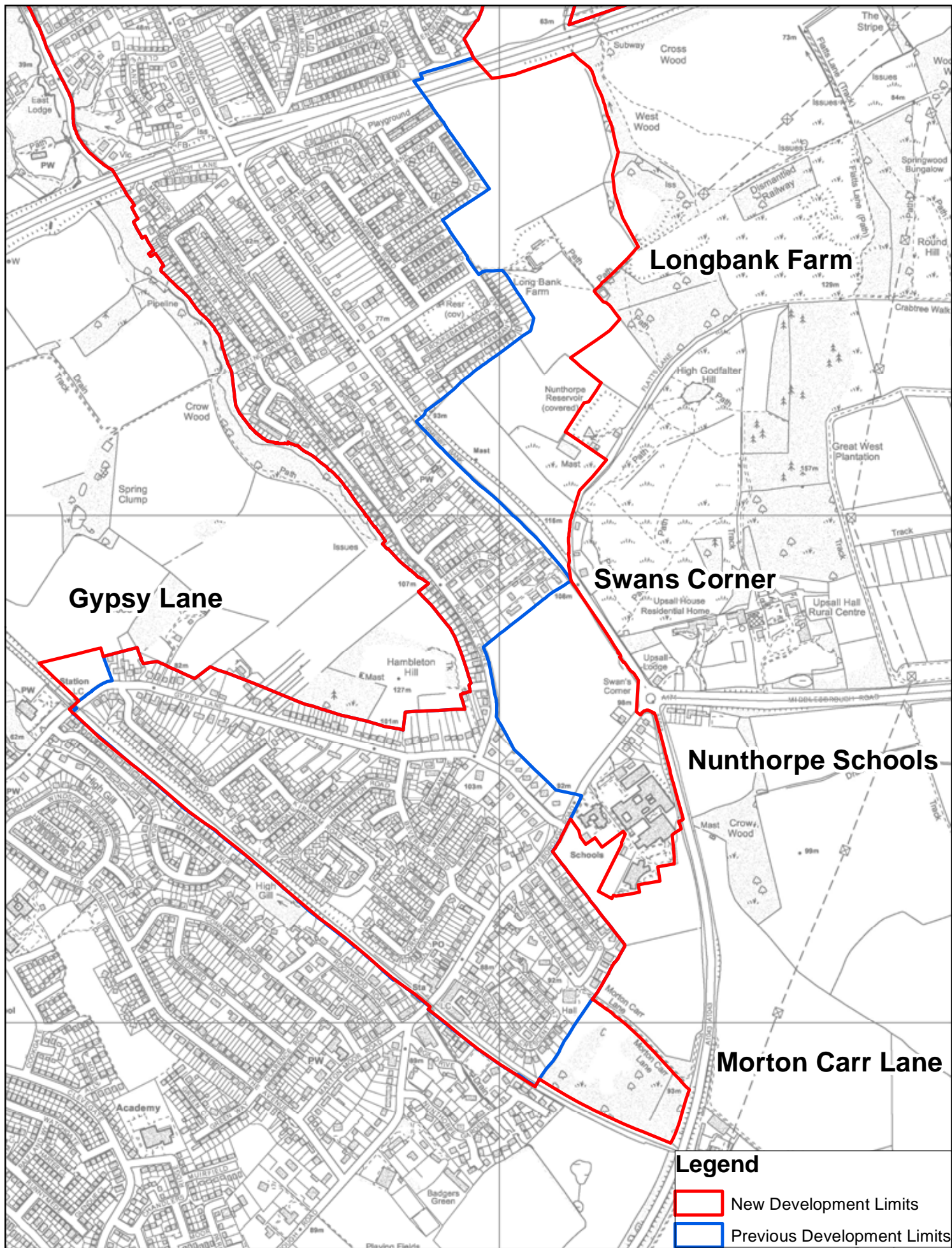
Issue	Location	Amendment	Reason	Map DWG No.
			allocated as employment land. There is an adequate supply of available employment land and there is no evidence at present of a need for future land to be allocated.	
3	Handale Primary School, Loftus	Boundary amended to exclude playing fields from development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL13
4	Land at Hirds Drive, Loftus	Boundary amended to include residential development at Hirds Drive within development limits.	Development is adjacent to the main residential area and was constructed after previous development limits were finalised. Amending the boundary would reflect the current extent of built development and ensure a consistent approach in the Local Plan.	DL13
4	Land at Laurel Park and Gaskell Lane, Loftus	Boundary amended to include a dwelling on Laurel Park and a bungalow on Gaskell Lane.	The development of these sites predates the 1999 Local Plan Development Limits. It is recommended that the dwellings and their curtilage be included within development limits to correct a previous drafting error and ensuring a consistent approach in the Local Plan.	DL13
4	Land at Micklow Lane, Loftus	Boundary amended to include a small section of land at Micklow Lane within development limits.	The land at Micklow Lane refers to a small section of land within the Conservation Area that is currently outside of development limits. The inclusion of this site within limits would effectively round off the settlement. It is recommended that the site be included within Development Limits to correct a previous drafting error.	DL13
3	Hummersea Primary School, Loftus	Boundary amended to exclude playing fields from development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL13
1	Former Rosecroft School, Loftus	Boundary amended to incorporate the lower portion of the former school playing field.	The former school site was included as an allocation in the Draft Local Plan. The site has detailed planning permission for 51 dwellings, however this is due	DL13

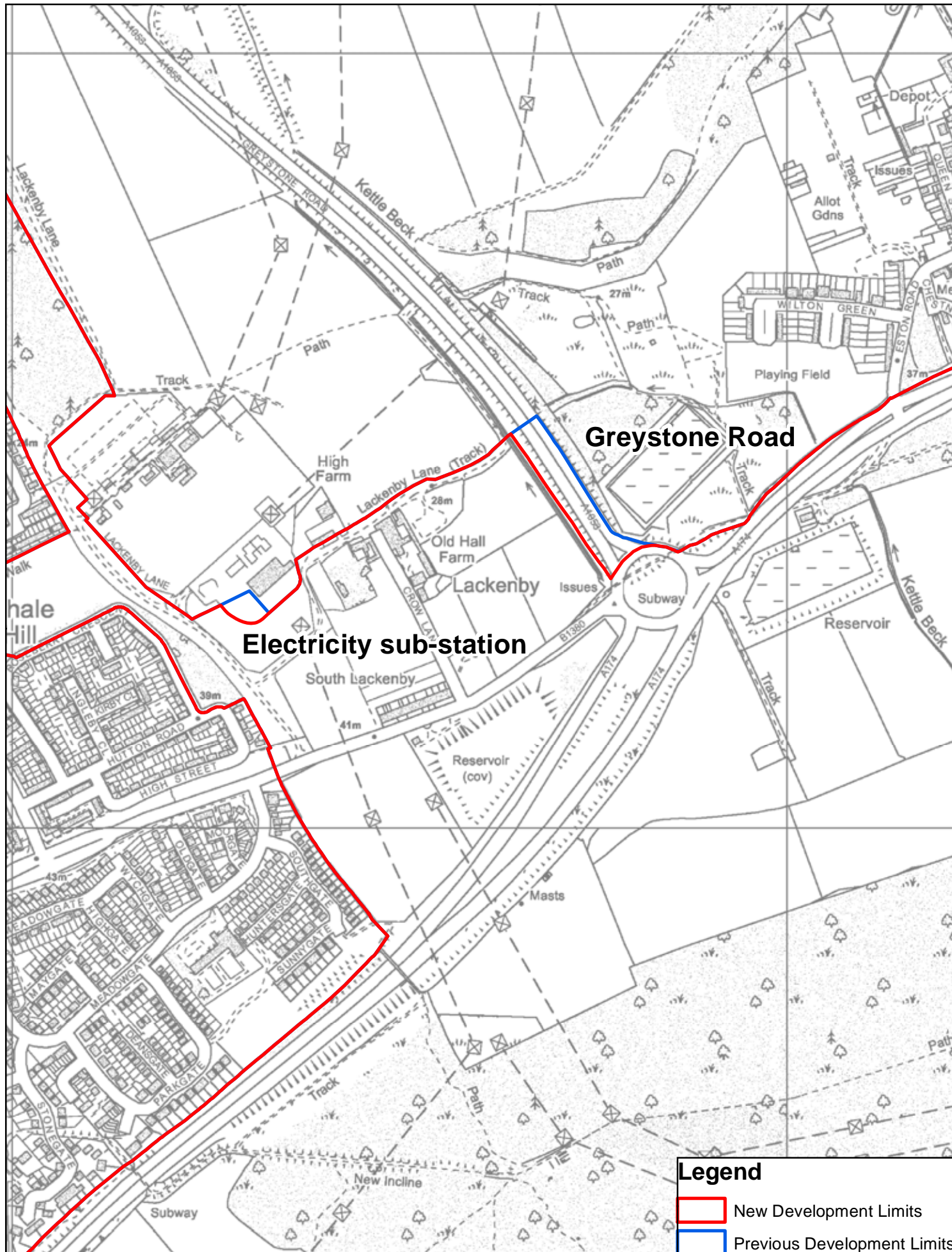
Issue	Location	Amendment	Reason	Map DWG No.
			to expire and the prospective developer has ceased trading. Although the site has been marketed for disposal, a replacement builder has not been secured. Therefore, to make the site more attractive to the market, the site has been extended to include the lower portion of the former school playing fields which were previously outside of limits.	
3	Whitecliffe Primary School, Carlin How	Boundary amended to exclude playing fields from development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL14
1	Low Cragg Hall Farm, Carlin How	Boundary amended to include proposed housing allocation within development limits.	Although Carlin How is a lower order settlement within the hierarchy, the site is in a sustainable location adjacent to a major bus route connecting East Cleveland with Redcar, Guisborough and Middlesbrough, it overlooks a major employment site and is within 500m of a primary school and local centre. The development of the site for housing will broaden the residential offer and help to meet local housing needs during the plan period.	DL14
3	Freebrough Academy , Kilton Thorpe School and St Peter's CofE VC Primary School, Brotton	Boundary amended to include new school buildings within development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan.	DL15
1	Kilton Lane, Brotton	Boundary amended to include proposed housing allocation within development limits.	Brotton is a key settlement within East Cleveland as it contains the main secondary school serving a wide area and the local primary care hospital, and is in relatively close proximity to the major retail development and main industrial estate at Skelton. The site is also within 500m of a major bus route	DL15

Issue	Location	Amendment	Reason	Map DWG No.
			connecting to Guisborough, Redcar and Middlesbrough at Brotton local centre. Situated between the built-up area and the Skelton and Brotton bypass, residential development on this land would in principle represent a logical extension to the settlement and the most significant and realistic strategic growth opportunity bearing in mind the Heritage Coast designation to the north and east of the built-up area.	
1	Site to the west of Skelton Industrial Estate	Boundary amended to include small triangular area of land to the west of Skelton Industrial Estate within development limits. The site is part of a wider mixed-use allocation in the Local Plan.	The Council is proposing to allocate the existing industrial estate; the former industrial estate extension area; and this small area outside limits, as a mixed use regeneration site, comprising a range of commercial and residential uses. This is to improve the commercial offer and safeguard its position as the principal industrial estate serving East Cleveland. Amending development limit boundaries to include the site would result in a logical rounding off of the settlement, with the A174 providing a northern boundary.	DL16
4	Nidderdale, Church Hill, Skelton	Boundary amended to include 3 dwellings at Nidderdale, Church Hill, Skelton within development limits.	Planning permission was granted in 2001 for development at Church Hill, Skelton which included 3 dwellings outside of development limits. To reflect the new extent of built development as a result of the residential development at Church Hill.	DL16
3	Debruse Centre, Skelton	Boundary amended to exclude playing fields from development limits.	To reflect the extent of built development and ensure a consistent approach in the Local Plan	DL16
4	14-26 High Street, Skelton	Boundary amended to include new housing development within development limits.	14-26 Sterne Cottages, High Street comprises seven dwellings, which received planning permission in 2002, through the redevelopment of a former petrol	DL16

Issue	Location	Amendment	Reason	Map DWG No.
			filling station. There is a small area of hard standing for parking to the rear of the properties. This area should be brought within development limits to reflect the extent of built development and ensure a consistent approach in the Local Plan.	
1	Site adjacent to Ardmore, Manless Terrace, Skelton Green	Boundary amended to exclude residential curtilage from development limits.	Site is adjacent to development limits. Permission was granted for a residential dwelling on the site in 2014. Boundary amendment to ensure a consistent approach in the Local Plan	DL16
4	Land off Newlands Road, Skelton Green	Boundary amended to exclude land off Newlands Road from development limits.	Permission was granted in 2014 for 8 residential dwellings on the site. At this time the Council was unable to demonstrate a 5 year housing supply. Whilst the site is located on the edge of a lower order settlement, the site is considered to be reasonably sustainable as it is within 50m of a playground, within 500m of a bus route and public house and within 1km of Skelton Local Centre which has a range of shops and services to serve the local community. Taking this into account, together with the relatively small number of dwellings proposed it was considered that the proposals would broadly meet the presumption in favour of sustainable development as set out within the NPPF and permission was granted. The site is too small to be allocated within the Local Plan, however it is considered that the development limits boundary should be amended to reflect this permission.	DL16

Appendix 1: Proposed Changes to Development Limits Maps





Lackenby



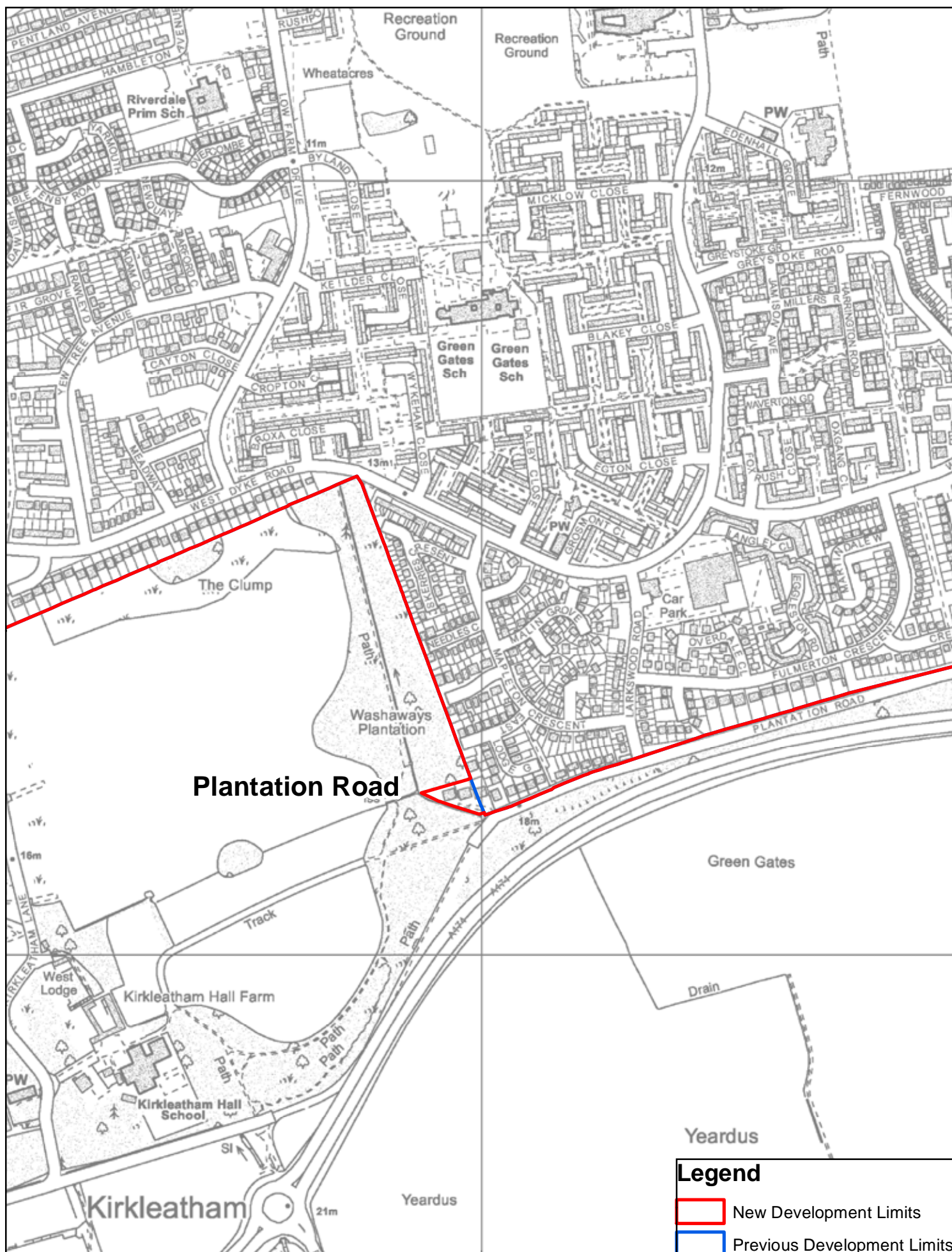
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Plantation Road



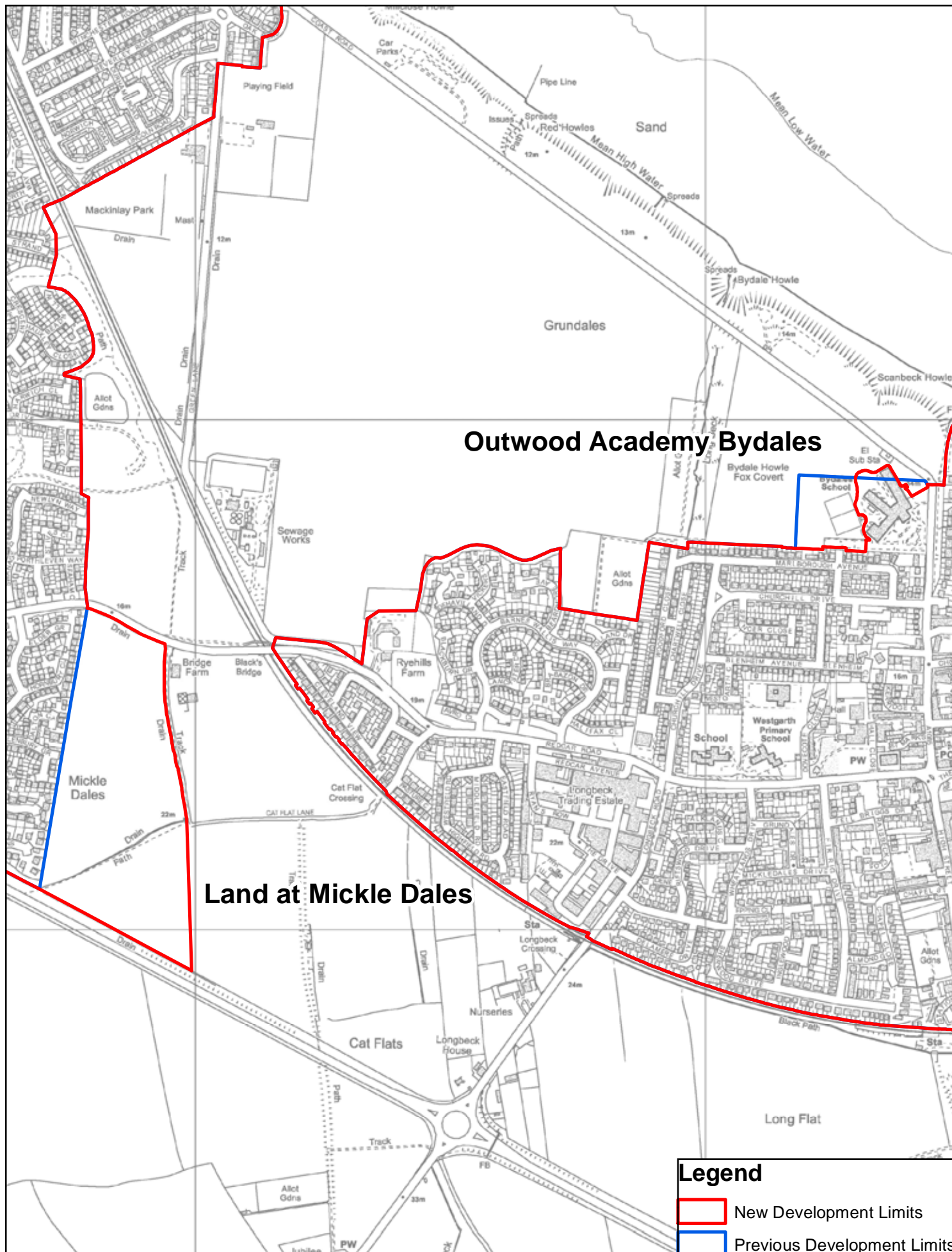
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Mickle Dales and Outwood Academy Bydales



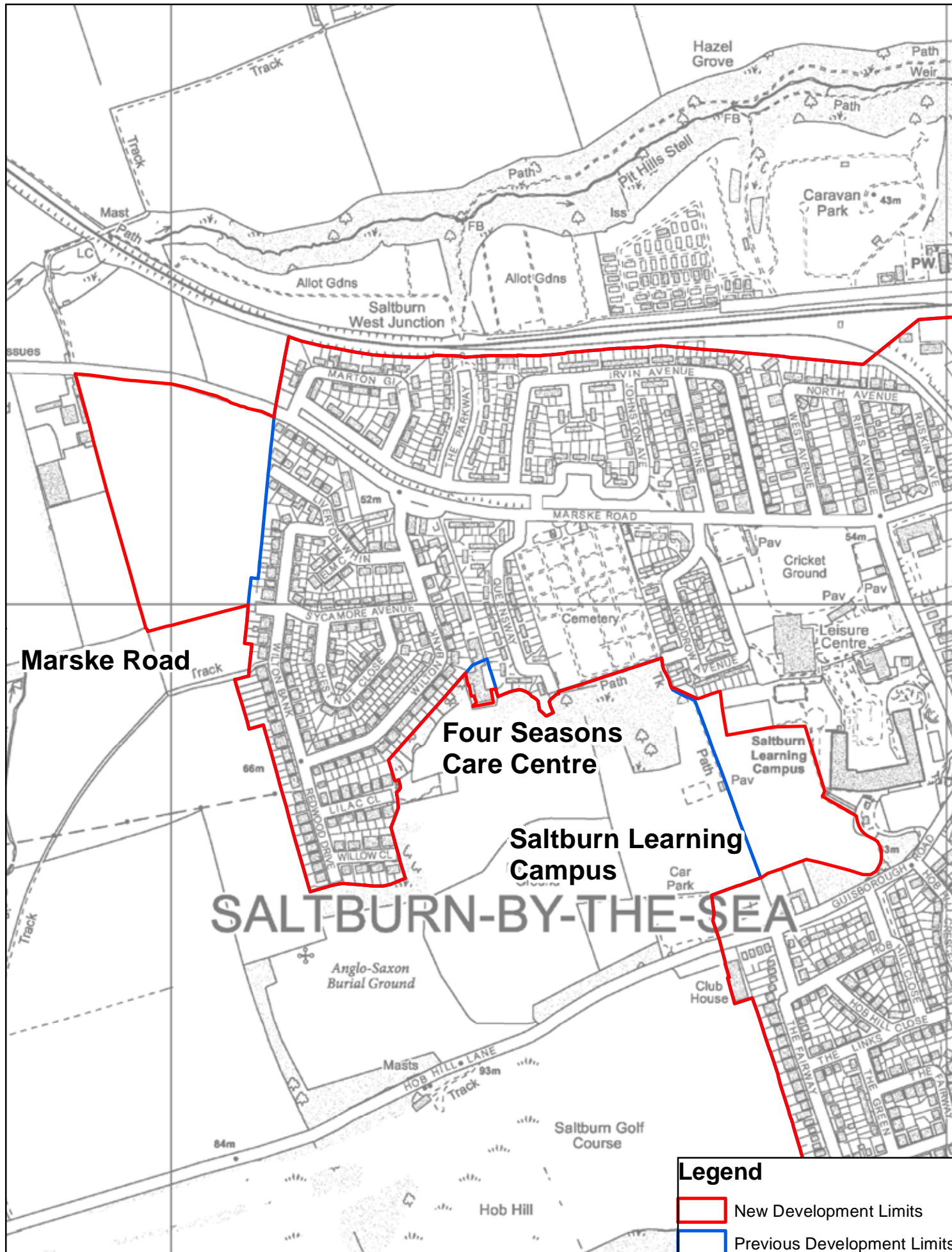
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Saltburn



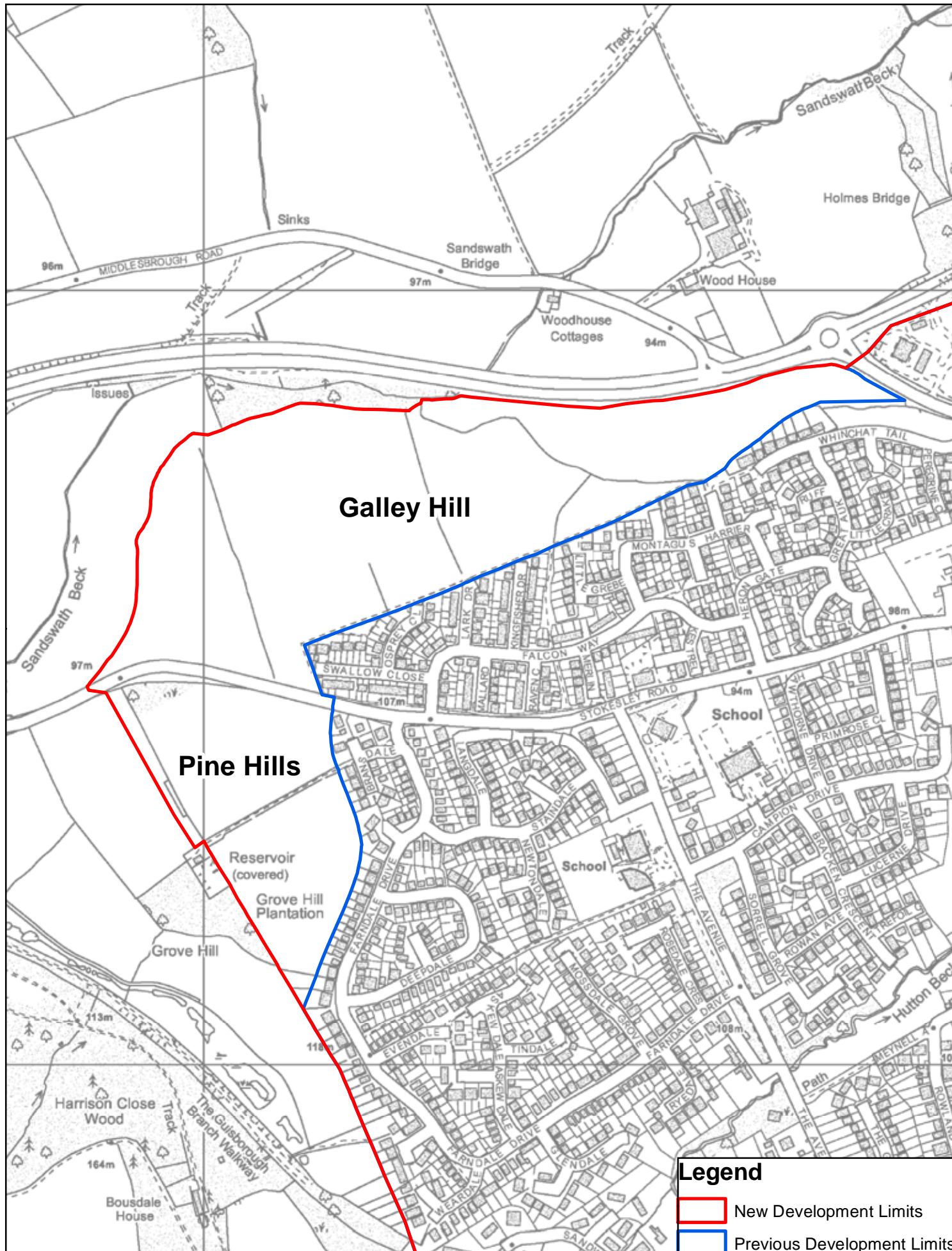
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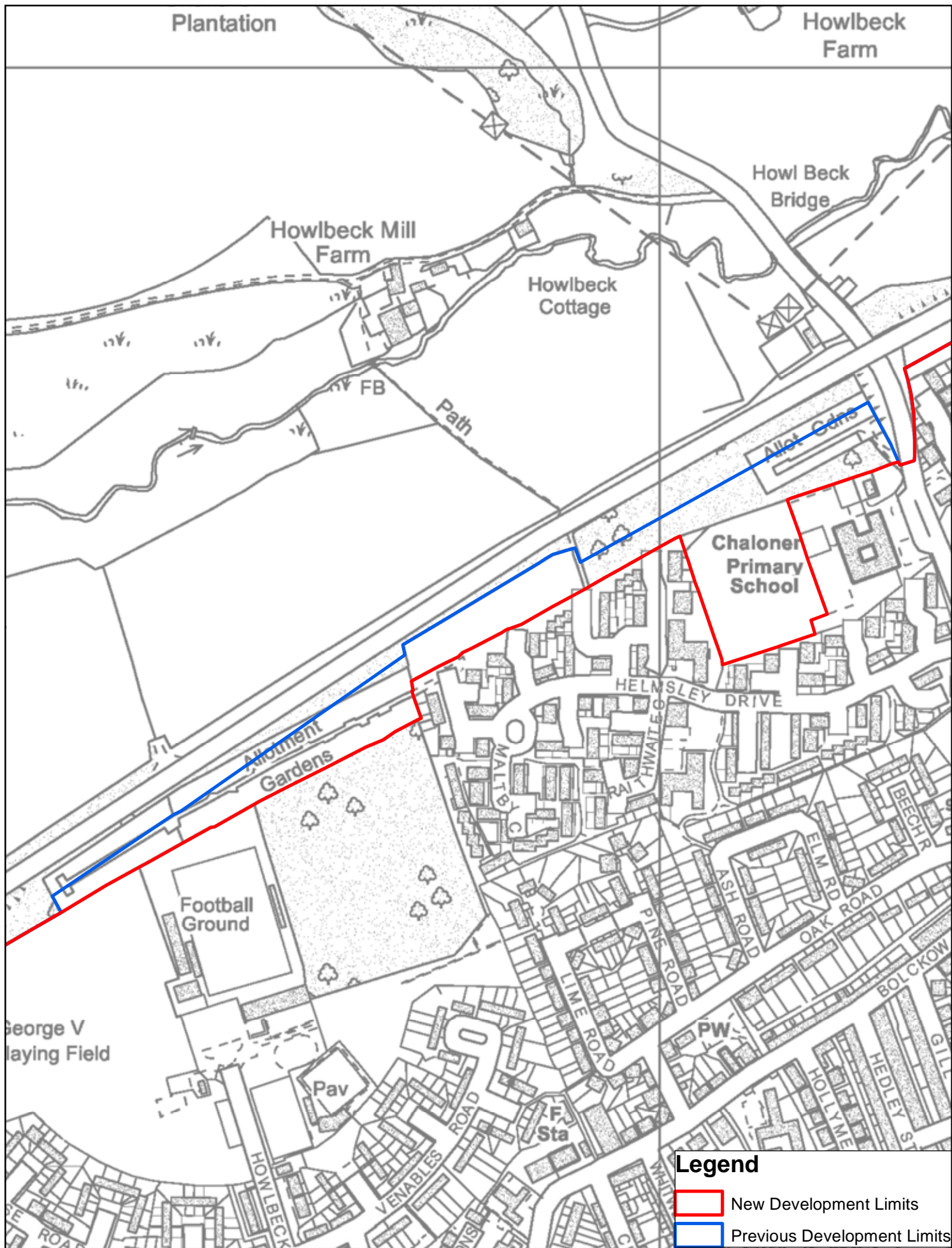
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Legend

- New Development Limits
- Previous Development Limits



Chaloner Primary and allotments



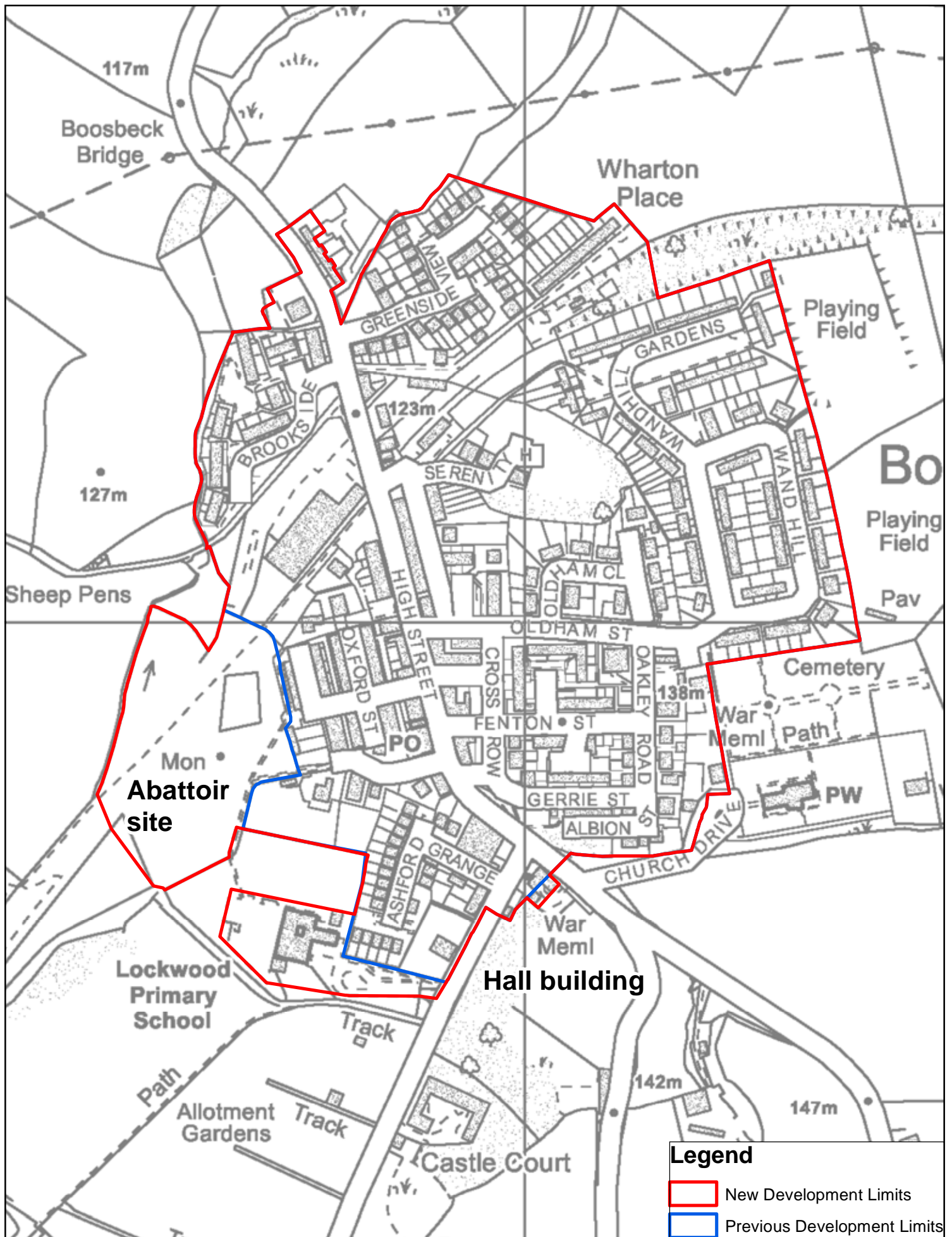
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Boosbeck



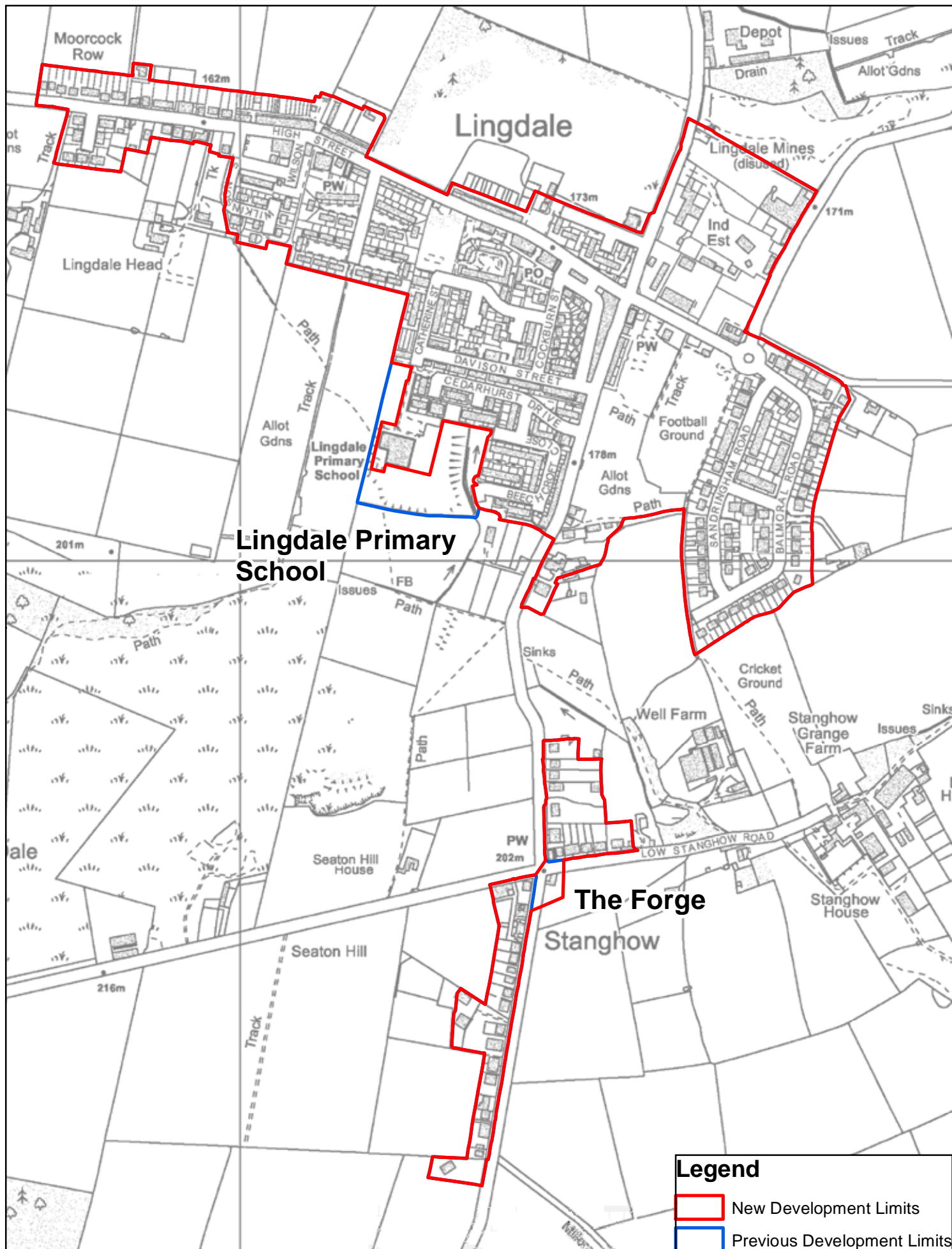
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Lingdale and Stanghow



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