

**DETERMINATION OF APPLICATION UNDER DELEGATED POWERS
REPORT OF CORPORATE DIRECTOR OF
DEVELOPMENT AND NEIGHBOURHOOD SERVICES**

1. Case Officer Signature..... *Andrew Glossop* Date *8/6/09*
2. Principal Planning Officer..... *Chris Whaley* Date *9/6/09*
3. Development Services Manager..... Date.....

*Required for refusals

Application No: 08/0467/FUL
Date: 8th June 2009
Case Officer: Mr Andrew Glossop
Proposal: Revised application fro remodelling of BMW Dealership and creation of additional parking on existing site.
Location: Preston Hall BMW , Concorde Way, Preston Farm Industrial Estate
Site Visit Date : 24 April 2008
Expiry Date: 23 April 2008

RECOMMENDATION

Planning application 08/0467/FUL be Approved with Conditions subject to

APPROVED PLANS

- 01 *The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>L303/1</i>	<i>30 March 2009</i>
<i>L202</i>	<i>30 March 2009</i>
<i>L203/2</i>	<i>30 March 2009</i>
<i>L102/4</i>	<i>3 April 2009</i>

Reason: To define the consent.

TREE BELT MANAGEMENT SCHEME & SITE LANDSCAPE PLAN

02. *There shall be no construction of the new car parking area hereby approved which intrudes into the existing tree belt to the southern boundary of the site until a management scheme for the tree belt and a soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be restricted to detailing the construction methods of the car parking areas and boundary treatments, initial tree and scrub removal works, new planting works, implementation timetable and a future maintenance plan which details maintenance in perpetuity. Development shall be carried out in accordance with the approved details.*

Reason: In order to ensure the integrity of the structural landscape buffer is maintained between the Preston Farm Industrial Estate and the adjoining Green Wedge and in order to provide a high quality appearance to the site in accordance with the requirements of Saved Policy GP1 of the Stockton on Tees Local Plan.

LANDSCAPE IMPLEMENTATION AND MAINTENANCE

03. *The management and maintenance of the Tree Belt forming the southern boundary and soft landscaping within the site shall be carried out by the site owner or any successor in title in perpetuity in accordance with the Tree Belt Management and Site Landscaping*

scheme approved under condition No. 3 of this approval, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the integrity of the structural landscape buffer and soft landscaping throughout the site is adequately maintained, in accordance with the requirements of Saved Policy GP1 of the Stockton on Tees Local Plan.

TRAFFIC REGULATION ORDER

04. Unless otherwise agreed in writing with the Local Planning Authority, notwithstanding details hereby approved, the development hereby approved shall not be brought into use until a Traffic Regulation Order restricting waiting and loading within Avro Close and along Concorde Way has been brought into force to the satisfaction of the Local Planning Authority.

Reason: In order to prevent on street parking in Avro Close as a result of intensification of the sites use in accordance with the requirements of Saved Policy GP1 of the Stockton on Tees Local Plan.

MEANS OF ENCLOSURE

05. *Notwithstanding details hereby approved, there shall be no means of enclosure erected at the site unless in accordance with a scheme of such to be first submitted to and approved in writing by the Local Planning Authority. Any scheme submitted shall detail materials, height, location and long term maintenance. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.*

Reason: In order to adequately control the external appearance of the site and its impacts on the surrounding environment in view of the sites prominence and to comply with saved Policy GP1 of the Stockton on Tees Local Plan.

PARKING RETENTION

06. *Parking provision for all vehicles shall be retained on site in perpetuity in accordance with parking layout details illustrated on plan ref: L102/4 as approved unless otherwise agreed in writing with the Local Planning Authority.*

Reason: In order to maintain adequate parking provision for the use in accordance with saved Policy GP1 of the Stockton on Tees Local Plan.

VEHICLE DELIVERY MANAGEMENT PLAN

07. *Prior to the redeveloped site being brought into use a Vehicle Delivery Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the way in which vehicles are delivered to site. The site shall be operated in perpetuity in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.*

Reason: In order to adequately control impacts relating to Highway Safety in accordance with saved Policy GP1 of the Stockton on Tees Local Plan.

EXTERNAL LIGHTING

08. There shall be no new external lighting at the site other than that which is in accordance with a scheme of lighting to be first submitted to and approved in writing with the Local Planning Authority.

Reason: To limit the impact of the development site on the adjacent green wedge, in accordance with saved Policy GP1 of the Stockton on Tees Local Plan.

INFORMATIVES

General Policy Conformity

The proposed scheme has been considered against the policies and documents identified below. It is considered that the scheme accords with these documents as the proposal is appropriate in terms of its use, scale and appearance for its location, should not unduly affect adjacent uses or highway safety and adequately provides for the demands of the use. There are no material planning considerations, which indicate that a decision should be otherwise, therefore the application is recommended for approval.

Stockton on Tees Local Plan: Policies GP1 General Principles and EN14 Green Wedge.

Soft Landscaping Scheme

The soft landscaping details to be submitted for approval in respect to condition no. 3 of this approval shall include a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers and all existing or proposed utility services that may influence proposed tree planting.

PLANNING POLICY

The relevant development plan in this case is the adopted Stockton on Tees Local Plan.

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are :- *the Stockton on Tees Local Plan (STLP)*.

The following planning policies are considered to be relevant to the consideration of this application:-

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy EN14

Within the following Green Wedges, development will not be permitted which detracts from the open nature of the landscape so as to threaten, by itself or cumulatively, the local identity of the areas separated by the Green Wedge.

- (a) River Tees floodplain from Surtees Bridge, Stockton, to Yarm;
- (b) Leven Valley between Yarm and Ingleby Barwick;
- (c) Bassleton Beck Valley between Ingleby Barwick and Thornaby;
- (d) Stainsby Beck Valley, Thornaby;
- (e) Billingham Beck Valley;
- (f) Between North Billingham and Cowpen Lane Industrial Estate.

CONSULTS

The following Consultations were notified and any comments received are set out below:-

Urban Design - General Summary

Urban Design supports this application. The revised site layout shows the dealership building being located centrally on the site with external vehicle parking (sales, staff, customer etc), being located around the outside. Display cars are located adjacent to the highways of Yarm Road, Concorde Way and Avro Close with the compound cars being located to the rear. This will allow the higher quality treated areas (block paved etc) to be within the readily visible areas and the more functional yard areas to be out of view.

The proposal will generally retain green space adjacent to Yarm Road and Concorde Way whilst introduce new green space alongside Avro Close. This will provide an attractive environment although a landscaping scheme should be conditioned in order to maintain such areas.

The proposal includes 2 no. additional parking areas which are located within the structural landscaping to the rear of the site. It was initially submitted to provide a band along the entire length of this planting belt although this was considered to have an unacceptable impact on the function of the tree belt which adjoins the Green Wedge to the south of the site. We accept these reduced intrusions into the structural landscape buffer subject to a scheme of improvement works to the remaining tree belt to ensure longevity and improved maintenance in order to maintain screening. Conditions should be imposed to ensure this is undertaken appropriately.

Urban Design - Highways Comments

The revised site layout in terms of vehicular access and manoeuvring, location and segregation of parking types and overall parking provision has been considered and is adequately provided for within the site. However, in order to prevent overspill parking on Avro Close, which would prevent vehicle delivery lorries from servicing the site it is considered necessary to impose waiting restrictions along Avro Close to prevent on street parking. The unloading of vehicles onto Concorde Way is also considered to result in an unacceptable risk to highway safety and therefore waiting and loading restrictions will also need to be implemented. The cost of £2,000 for the associated Traffic Regulation Order for Avro Close and Concorde Way will need to be met by the applicant.

Should the application be approved it will be necessary to condition a Management Plan for operation between this site and the off site works that are undertaken, details are required to be submitted to the Local Planning Authority for approval and should include, details of what operations take place off site and how trips between the site occur, particularly those that require a car transporter.

Urban Design - Landscape & Visual Comments

The layout is acceptable in Landscape and Visual Terms. Details of hard and soft landscaping will be required to be approved by conditions.

Urban Design - Built Environment Comments

No comment.

PUBLICITY

Neighbours were notified although no comments were received.

BACKGROUND

Concerns were raised by the Local Authority with the 4no. car dealerships which are accessed off Avro Close in respect to vehicles being offloaded from transporters onto Concorde Way. Concorde Way is a dual carriageway and the offloading of vehicles was considered to be unacceptable at this

location. It was considered that off loading of vehicles should take place within the curtilage of the dealerships or on Avro Close although this is unachievable due to Avro Close being parked up on both sides and the dealerships in turn being over parked.

This application to amend the 3 dealerships, which fall under the umbrella of the applicant, is aimed at resolving this existing problem so that vehicles can be offloaded either in Avro Close or within the dealerships.

SITE AND SURROUNDINGS

The site is located towards the south western corner of Preston Farm Industrial Estate, adjacent to both Concorde Way and Yarm Lane. The site is currently occupied by 3 no. car dealerships and their associated parking and servicing areas. Other car showrooms lie on the opposing sides of Concorde Way and Yarm Lane (Mercedes, Jaguar, Ford and Land Rover). A structural Landscape buffer lies within the site, forming the southern boundary, beyond which is open agricultural fields designated under Policy EN14 as Green Wedge. Beyond this lies Preston Park and the surrounding areas of housing.

The site is characterised mainly by the low height, extensively glazed car showrooms and road layout defined by a roundabout on the Concorde Way / Yarm Lane junction and the dual carriageways serving this.

PROPOSAL

Planning permission is sought for the remodelling of the car dealership which involves replacement buildings (in part) and a revised site layout, access routes and parking areas.

The proposal has been amended from the initial submission to reduce incursion of the parking areas into the southern structural landscape belt, amend building shape and layout and amend the general site layout. These have been in part based on requests from officers to reduce the impact of the proposal on the structural landscaping and to limit the overall number of vehicles on site which was being proposed to the detriment of soft landscaping throughout the site.

MATERIAL CONSIDERATIONS

The site is located on Preston Farm Industrial Estate and is currently used for vehicle showrooms and servicing for the BMW, Mini and Volvo dealerships.

The existing use is established whilst Preston Farm has become a hub for other car dealerships (in excess of 10 no. within the estate). As such the principle of the development is acceptable. The main considerations of this report therefore relate to the design and appearance of the remodelled showroom, the revised site layout and highway related matters. These are considered as follows;

Design and appearance of showroom

The showroom has a relatively large footprint and limited roof height, with glazed showroom sections fronting onto Concorde Way, Avro Close and Yarm Road. The servicing area is located to the rear of the site and is not generally in public view, being screened in part by BMW and Mini showrooms.

The proposed site layout, building scale and building design are considered to be in keeping with the site and its surroundings, giving a modern, high quality appearance. This is considered to accord with Policy GP1 of the Local Plan, being suitable within this area of Preston Farm Industrial Estate.

The Urban Design Team have requested conditions be imposed in respect to external finishing materials and site surface materials. These have been submitted in the plans and are considered to be acceptable, being a mix of coloured cladding panels for the buildings and a mix of block paving and tarmac for hard surfacing.

Site layout

The revised site layout shows the dealership building being located centrally on the site with external vehicle parking (sales, staff, customer etc), being located around the outside. Display cars are located adjacent to the highways of Yarm Road, Concorde Way and Avro Close with the compound cars being located to the rear. This will allow the higher quality treated areas (block paved etc) to be within the readily visible areas and the more functional yard areas to be out of view.

The proposal will generally retain green space adjacent to Yarm Road and Concorde Way whilst introduce new green space alongside Avro Close. This is considered to be in accordance with Policy GP1 in terms of providing an attractive environment although a landscaping scheme has been conditioned in order to ensure this is provided, maintained and retained as such areas are likely to be under pressure from hardsurfacing taking into account the use of the site.

The proposal includes 2 no. additional parking areas which are located within the structural landscaping to the rear of the site. It was initially submitted to provide a band along the entire length of this planting belt although this was considered to have an unacceptable impact on the function of the tree belt which adjoins the designated Green Wedge to the south of the site. The Councils Landscape Officer has accepted these reduced intrusions into the structural landscape buffer subject to a scheme of improvement works to the remaining tree belt to ensure longevity and improved maintenance in order to maintain screening. Conditions are imposed to ensure this is undertaken appropriately.

Highway related matters

The site layout in terms of vehicular access and manoeuvring, location and segregation of parking types and overall parking provision has been considered by the Councils Highways Officers. It is considered that the submitted (as revised) details adequately provide for the site in this regard. However, in order to prevent overspill parking on Avro which would prevent vehicle delivery lorries from servicing the site it is considered necessary to impose a Traffic Regulation Order (lining) along Avro Close. The unloading of vehicles onto Concorde Way is considered to result in an unacceptable risk to highway safety and similar waiting and unloading restrictions would need to be applied. Conditions are recommended which would prevent parking on Avro Close whilst retain parking provision within the site in perpetuity which should ensure adequate parking is provided for the use whilst prevent undue highway safety risks to traffic on the adopted highway. Whilst off loading vehicles from the transporter vehicles is accepted, it is considered beneficial to limit this where possible in order to maintain highway safety. The site operates with a pre delivery inspection building elsewhere and management of transporter movement to the site is therefore controllable. A condition is recommended accordingly.

Other Matters

It is considered that the proposed development would not unduly affect adjoining users as a result of the existing site layout and use and the limited scale of the proposed development.

CONCLUSION

The proposal is considered to be of a suitable scale and design for its location whilst adequately provide in respect to access and parking for the proposed use. It is considered the proposal would not unduly affect the adjoining Green Wedge or surrounding uses and as such the proposal is considered to be in accordance with Policy GP1 and Policy EN14 of the Stockton on Tees Local Plan. It is recommended that the application be **Approved with Conditions** for the reasons specified above.

WARD AND WARD COUNCILLOR(S)

WARD Parkfield And Oxbridge
Ward Councillor(s) Councillor M Javed, Councillor R Rix