

**DELEGATED**

**AGENDA NO.**

**REPORT TO PLANNING  
COMMITTEE**

**DATE: 15<sup>TH</sup> MARCH 2006**

**REPORT OF THE  
CORPORATE DIRECTOR OF  
DEVELOPMENT AND  
NEIGHBOURHOOD  
SERVICES**

**05/0026/EIS**

**PIPE MILL, PORTRACK LANE STOCKTON  
OUTLINE APPLICATION FOR MIXED USE DEVELOPMENT COMPRISING  
RESIDENTIAL (C3) AND COMMERCIAL BUSINESS (B1) WITH ASSOCIATED  
ACCESS, CAR PARKING AND LANDSCAPING,**

**Summary**

This application seeks Outline Planning permission for mixed-use development comprising residential (C3) and commercial business (B1) with associated access, car parking and landscaping, at the Corus Pipe Mill, Portrack Lane.

In view of the scale of the proposal and the location of the development, an **Environmental Impact Assessment (EIA)** has been submitted with the application. The EIA concluded that the redevelopment of the site would have no adverse impact upon the general population or other man-made features of Teesside. Positive benefits are identified to the local economy and local employment opportunities resulting from the eventual development of Reclamation Pond for industrial use.

Also supporting the applications are a Transport Assessment and Transport Strategy together with an indicative Masterplan and Design Guide

To ensure the development proposals complement proposals for the nearby North Shore regeneration site and that the release of housing is consistent with the principles of managing supply, the completion of the residential units and commercial floor space would be regulated. For the residential development, no more than 100 units would be made available for first occupation within each year of construction. The Commercial B1 development would have no more than 3,716 sq.m. of floor space available for first occupation within each year of construction.

The Highways Agency has issued an Article 14 Direction preventing the application being approved until it has been withdrawn due to the potential impact on the A19 Trunk road. Extensive discussions have taken place between the Highways Agency, the applicant and the Head of Integrated Transport and Environmental Policy to achieve an appropriate scheme. It is understood that the Highways Agency are now satisfied that an appropriate scheme can be provided and are amenable to the application being considered subject to approval only being granted once they have specified planning conditions they would wish to see imposed.

## **RECOMMENDATION**

***Recommend that subject to the withdrawal of the Article 14 Direction by the Highways Agency and the applicant entering into a Section 106 Agreement that Members be minded to approve Planning application 05/0026/EIS and delegate the decision to the Head of Planning subject to the following conditions and conditions directed by the Highways Agency.***

## **SECTION 106 AGREEMENT**

### **Heads of Terms**

#### **School Places**

The rate of contribution required from developers for school places would be £8,000 x 0.26 = £2,080 per family home. (i.e. homes with two or more bedrooms).

Payment of developer contributions should be made at the commencement of each phase of development in accordance with an approved phasing plan

The calculation to reflect a discount of £8,000 per vacant place in Tilery Primary School as recorded within the Annual School Census current at the time payment is due, subject to a pro-rata allocation of this discount amongst other planned development within the local area (Planned developments being proposed residential developments which has at least reached the planning application stage). Local Authority to provide within one month of a request being made its confirmation of the applicable discount by reference to the Annual School Census and specific details of other developments to benefit from the discount.

Contribution to be held in an interest-bearing account. Payment to be used for the purposes identified within 5 years of the final payment being made or otherwise returned together with the interest accrued.

## **OPEN SPACE**

A scheme for the provision of Open Space and a fixed play area shall be submitted to and approved in writing by the Local Planning Authority before development commences. The details of the submitted scheme shall be in accordance with accepted Stockton Council adoption policy and have been agreed by the Council to be adopted

Sums to be calculated in accordance with Schedule A with reference to each phase of development that is the subject of Reserved matters Approval. Phasing to be specified within approved phasing plan. All calculations to reflect inflation.

Any public realm hard works must be completed in accordance with SBC Highways adoption standards whether these are to remain as Highway land or be handed to Service Stockton.

Land identified as public open space and other public realm within the application site to be transferred to Stockton on Tees Borough Council on Completion of works to an adoptable standard.

Sums to be paid prior to the occupation of first dwelling/commercial floor space within each respective phase of development.

All other landscape treatment associated with the development will be designed to be within the curtilage of the individual residential units and will not be considered for adoption.

#### **Public Transport Infrastructure**

A commuted sum of £25,000 to be paid to Stockton Tees Borough Council to fund the construction of new bus stop facilities or the enhancement of existing bus stop facilities on Portrack Lane in the immediate vicinity of the site.

Sum to be paid to the Council on letting the contracts for the construction of the bus stop facilities. Contribution to be held in interest-bearing account. Payment to be used for the purposes identified within 2 years of the payment being made or otherwise returned together with the interest accrued.

#### **Off-site Highway works**

A contribution shall be paid for the provision of the second access and such other infrastructure that will be conducive to the development

A contribution shall be paid to the Council towards the improvement of the highway junction of Portrack Lane and the A19 Trunk Road as specified on the attached plan1 or such different scheme as to be agreed with the Local Planning Authority.

#### **DEFINITION OF PERMISSION**

*This permission relates to the use of the site and buildings within classes B1, and C3 of the Town and Country Planning (Use Classes) Order 1987.*

***Reason:** To enable the Local Planning Authority to control the type of development to that which will be compatible with the creation of a high quality environment and the site is only considered suitable for development of this type.*

#### **MASTER PLAN AND RESERVED MATTERS**

*Notwithstanding the submitted details prior to or concurrently with the submission of details relating to the reserved matters, a "Masterplan" of the whole site and accompanying "Design Guidance" document shall be submitted to the local planning authority for its approval. The Masterplan and Design Guidance document shall indicate: -*

*The position of the main buildings*

*The landscape framework and landforms*

*The phasing of the development,*

*The access arrangements including an access at the southern boundary of the site capable of connecting with a vehicular, pedestrian and cycle link to the adjacent North Shore site to enable the sites to integrate at some time in the future.*

***Detailed Design code of, materials, scale and massing of buildings, landscaping, street furniture, public art, recycling facilities for use of both domestic occupants and businesses, sustainable urban drainage systems for all hard standing and car parking areas***

***The development shall be implemented in general conformity with these approved documents unless otherwise agreed in writing.***

***Reason: To allow the detailed proposals to be considered against a broad Masterplan and an approved Design Guidance document and to enable the Local Planning Authority to satisfactorily control the development***

***The total amount of Residential units as authorised by this permission and set out in the Masterplan as required by condition 2, shall not following the issue of the permission hereby granted exceed 100 Dwellings available for first occupation within each year of construction.***

***Reason: To protect community investment programmes in other similar projects elsewhere during the first five years of development.***

***The total amount of Commercial floor space as authorised by this permission and set out in the Masterplan as required by condition 2, shall not following the issue of the permission hereby granted exceed 3,716 sq.metres available for first occupation within each year of construction.***

#### ***Reserved Matters***

***The siting, design and external appearance of the buildings and the landscaping of each phase of the development set out in the Masterplan as required by condition 2 shall be in accordance with details of a scheme(s) to be submitted to and approved by the Local Planning Authority before that phase of development commences.***

***Reason: To reserve the rights of the Local Planning Authority with regard to these matters.***

#### ***PUBLIC OPEN SPACE***

***Development shall not be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space within the site by the developer, as part of the development, and such arrangements shall address and contain the following matters:***

- A) The delineation of the proposed public open space***
- B) The type and nature of the facilities to be provided within the public open space***
- C) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development***

D) The arrangements the developer shall make for the future maintenance of the Public Open Space.

*Reason: To enable the Local Planning Authority to satisfactorily control the development*

### **LANDSCAPING**

*Details of each phase of the programme of landscaping works identified in the Masterplan and design guidelines document required by Condition 2, shall be submitted to and approved in writing by the Local Planning Authority and be implemented in accordance with an agreed programme. The details shall include: - size, species and numbers or density, of planting of all trees, shrubs and plants contouring and surfacing of all open space areas trees and hedgerows to be retained together with protection measures hedgerows to be transplanted a programme of works.*

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

*Any trees, shrubs or plants which die, are removed or become seriously damaged or diseased within 5 years from the date of planting shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.*

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

### **TRAFFIC, TRANSPORT AND PARKING**

*The total development hereby approved, shall not exceed the total amounts of gross floor area / scale of development with the assumed use mix set out below:*

*11,613 sq m of Class B1 employment use*

*375 Residential dwellings*

*Reason: - in order to maintain the safe and free flow of traffic using the A19 and to ensure that the level of development can be accommodated ensuring the safe operation of the adjacent trunk road network.*

*The Means of access to the site shall be from the existing single access on Marston Road and by the creation of a second access from the southern boundary of the site, Emergency access shall be provided via Portrack Lane*

*Reason: - In the interests of highway safety and the free flow of traffic on Portrack Lane*

*Notwithstanding the submitted plans Vehicular and pedestrian access to the site shall also be provided on the southern boundary of the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority*

***and shall be constructed in accordance with the approved plans. Such details to be submitted shall include details of the junction between the proposed access road and the connection to the public highway at and details of the access road between the public highway and the site.***

**Reason:** To ensure the sustainability of access to the site in terms of permeability and that the site is physically integrated with the adjacent redevelopment area to maximise the benefits and synergy that will be derived to the local economy and Community.

***Provision shall be made within the site prior to any building being occupied and in accordance with a scheme to be first approved with the Local Planning Authority for: -***

***the loading, unloading and parking of vehicles  
the parking, safe setting down and picking up of passengers by all forms of public transport including buses and taxis  
safe access to, from and within the site for cyclists and for satisfactory accommodation of cycles  
the safe movement of goods and people around the site.***

***Such a scheme may be based on an agreed phased programme of works.***

**Reason: To ensure adequate facilities are available within the site for car parking and servicing and to ensure these are satisfactorily integrated with facilities/services for public transport and cyclists.**

***The car parking spaces to be provided for employees and visitors to the class B1 development hereby approved shall be confined to those areas within the development specifically designated for such purpose and shall not exceed:***

***1 space per 30 sqm of gross floor area,  
plus up to an additional 5 percent of parking spaces for the sole use of employees and visitors with mobility disabilities.***

**Reason in order to maintain the safe and free flow of traffic and to ensure a satisfactory form of development.**

***A car parking area management scheme for each phase of development shall be submitted to and approved in writing by the local planning authority before the occupation of any new buildings within that phase of development. Such schemes shall include for the layout, control and management of the designated parking areas together with measures for controlling the parking of vehicles on any other parts of the site (other than any publicly adopted highway), which are not shown for vehicular parking in the approved plans. The development shall thereafter be operated in accordance with the approved schemes.***

**Reason in order to maintain the safe and free flow of and to ensure a satisfactory form of development**

***Prior to the commencement of construction on any new B1 buildings on the site details for the implementation, monitoring and review of a Sustainable Travel Plan for the employees and visitors to the B1 development shall be submitted to and agreed with the Local Planning Authority after consultation with the Highways***

*Agency. Such details shall include proposals to meet the objectives for sustainable travel as set out in the notes attached hereto to include; targets for mode share, provision of public transport services, provision for cycling and walking to and from the development site, timescales for implementation, monitoring, reporting on and review of the Plan.*

**Reason** *in order to maintain the safe and free flow of traffic using the A19 and in the interests of sustainable development and to reduce the impact of development traffic on the adjacent trunk road network.*

### **Ground Contamination**

No development approved by this permission shall be commenced until: -

a) A desk study has been carried out providing information on the previous land uses and an evaluation as to whether ground contamination [i.e.: landfill gas, leachate, ground/surface water pollution] is likely to be present and potential contaminants that may be expected given those uses and other relevant information and using this information a diagrammatical representation (conceptual model of geology and hydrology) for the site of all potential contaminant sources, pathways and receptors has been produced shall be submitted and approved by the Local Planning Authority .

b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model of the geology and hydrogeology). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable: a risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected, and - refinement of the Conceptual Model, and - the development of a Method Statement detailing the remediation requirements

c) ) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken. Full details of the proposals for the removal, containment or treatment of any contamination [the 'reclamation statement ' ] shall be submitted to and approved by the Local Planning Authority.

d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

**REASON:** To protect Controlled Waters and ensure that the remediated site is reclaimed to an appropriate standard.

### **DRAINAGE**

*Prior to either the B1 commercial floor space or C3 residential units hereby approved being brought into use, drainage works to accommodate surface water and foul sewage resulting from that part of the development have been completed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such details and works may be based on an agreed phasing programme.*

**Reason:** *To ensure satisfactory drainage of the development.*

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.

**REASON:** To prevent pollution of the water environment.

### **NOISE INSULATION**

*Before the commencement of development of the C3 residential units hereby permitted, a scheme for the protection of the proposed residential dwellings from noise from the commercial units on Crofton Road to the north and west of the application site shall be submitted to and approved in writing by the Local Planning Authority. All works, which form a part of such a scheme, shall be completed before any of the permitted dwellings are occupied. Within such a scheme, an assessment by a noise consultant shall be provided to establish where acoustic protection is required. Where boundaries require acoustic fencing and mounding, the height and acoustic quality shall be justified in relation to potential noise source from the immediately adjacent industrial units on Crofton Road. Where appropriate, acoustic double-glazing and mechanical ventilation to first floor bedrooms shall be provided.*

**Reason:** To avoid excessive noise and disturbance adversely affecting the amenities of neighbouring occupiers.

### **ARCHAEOLOGY\***

#### **Condition**

*Prior to commencement of development of either the B1 commercial floor space or C3 residential units hereby approved No development shall take place until the applicant, or their agents or successors in title shall secure the implementation of a programme of building recording, analysis and publication in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the local planning authority.*

#### **Reason**

*As the building is of historic significance the specified record is required to mitigate impact.*

### **MEANS OF ENCLOSURE**

*All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority and the approved means of enclosure shall be implemented before the development is brought into use. Such a scheme may be based on a phased programme of works.*

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



## **STORAGE OF MATERIALS**

***No materials shall be stored on the site outside the B1 buildings except in areas and at stacking heights and with screening to details to be agreed and implemented to the satisfaction of the Local Planning Authority.***

**Reason: *In the interests of visual amenity.***

## **GROUND LEVELS**

***Details of existing and finished levels for each phase of development shall be submitted to and approved by the Local Planning Authority before the relevant phase of development is commenced.***

**Reason: *To ensure that earth-moving operations and the final landforms resulting are such as to compliment and not detract from the visual amenity or integrity of existing natural features and habitats.***

## **EXTERNAL ILLUMINATION**

***Details of external illumination shall be submitted to and approved in writing by the Local Planning Authority before installation or erection.***

**Reason: *In the interests of visual amenity and highway safety.***

## **AFFORDABLE HOUSING**

***15% of the residential units hereby approved shall be affordable and provided in the form of shared ownership and/or shared equity. As part of an application for reserved matters, details shall be submitted for approval of the Local Planning Authority of a scheme for the provision of affordable housing on the site. The submitted scheme shall include details of the following, as appropriate:***

- i) the delineation of the area or areas of the site upon which the affordable dwellings will be constructed;***
- ii) the type and size of affordable dwellings to be provided;***
- iii) the arrangements the developer shall make to ensure that such provision is affordable for both initial and successive occupiers;***
- iv) the phasing of the affordable housing provision in relation to the provision of open market housing on the site;***
- v) occupancy criteria and nomination rights in relation to identified housing need.***

## **The application**

This application seeks Outline planning permission for the site with means of access detailed for the demolition of all existing industrial buildings and its redevelopment for a mix of commercial business floor space (B1) and residential (C3)  
The application proposes a total of 11,613sqm (125,00sq.ft) of B1 commercial floor space and 375 residential units. The application site is split into four separate development parcels

- Parcel A to the northern end of the site and adjoining Portrack Lane comprising the Commercial development.
- Parcels B, C, D to the south to be developed for residential with a mix of units including detached, semi detached, terraced housing and apartments

The site currently comprises a large industrial unit for the construction of steel pipes. The Mill is bordered on all sides by areas of hard standing constructed in concrete and tarmac and used for the storage of material, car parking and internal access roads

## **ENVIRONMENTAL STATEMENT**

As mentioned above the development is of type and scale that it requires a formal Environment Impact Assessment to be carried out in accordance with the Town and Country Planning (Environment Impact Assessment) (England and Wales) Regulations 1999. The resulting Environmental Statement (ES) describes in detail this assessment setting out the site context, the alternatives for development, and the preferred development option (the current proposal). The preferred option is then considered in detail. Matters considered include the planning policy context; landscape and visual issues; impacts on ecology, soils and land contamination; transportation issues; the cultural heritage and recreation concerns.

A non-technical summary of the ES has been prepared a copy of which is attached as an appendix to this report. The conclusions of the assessment are:

- The proposal accords with relevant national, structure and local planning policies and is consistent with the local plan allocation for the site.
- No areas of statutory landscape, archaeological or ecological designations are affected by the proposals.
- The new landscape works will help change the character of the site from an open, albeit, derelict site to one of a more formal character with a number of linked open spaces helping also to screen existing industrial units.
- Views from the south bank of the river will be significantly improved.
- There are no rare species of plant on the site but the loss of habitat (bare ground and extensive open grassland) will impact on some bird species. However, this will be mitigated by new planting to form wildlife areas linking the site to Portrack Marshes and other wildlife areas along the river.
- The assessment of contamination on the site has identified that the general risk is low but hotspots of contamination have been identified. Measures taken to address these hotspots will minimise impact during the construction period and for end users.
- A transport strategy has been prepared which sets out measures to mitigate impacts of the development on the highway network and promote alternative modes of transport to the private car.

## **DESIGN STATEMENT**

18. The aim of the Design Guide is to provide a planning and design framework for development on the site. It is not intended as a prescriptive document but does establish standards of design that future developers of the individual development plots would be expected to meet. It sets out a number of urban design principles as well as establishing strategies for the provision of landscaping and open space and nature conservation.

19. It also provides detailed guidance on road, footpaths, cycleway and access design; street lighting; drainage; parking and hard and soft landscaping. Attention is given to the site layout principles with typical plot layouts for key areas described and illustrated.
20. A high quality of building design will be required appropriate to its prestigious nature of its riverside setting. The guide recognises that heights of building may vary but will be generally three storeys except for buildings in the Research Park where generally the height would be two storeys. Other details considered in the guide are sustainability of the construction and design of the new built development, use of high quality materials for the external walls, skyline issues, colours, and building lines.

## **TRANSPORT ASSESSMENT AND STRATEGY**

21. Consultants on behalf of the applicant have prepared both a Transport Assessment (TA) and a Transport Strategy (TS) for the North Bank site. The TA assesses the impact of the traffic likely to be generated by the development on the existing road system. The TS addresses issues relating access to the site by pedestrians, cyclists and public transport.
22. The TA and its appendices is a largely technical document but in summary it concludes that with the construction of the North Bank Gyratory Road (essential to opening up the North Bank for development) the road system will be able to cope with the new development. Some improvement to the A19/Portrack Lane junction will be required including changes to the B & Q roundabout.
23. The TS seeks to provide a sustainable travel strategy aimed at reducing use of the private car. It examines existing barriers to the use of sustainable travel modes (walking, cycling, public transport), the provision of new or improved pedestrian routes, proposals to make the routes attractive and safe (i.e. lighting, signage, CCTV), the provision of new "Puffin" crossings, traffic calming, new cycle routes and facilities for cyclists and measures to allow access to the site via public transport.

### **Consultations.**

The application was advertised by letter to adjacent occupiers and by site notice and advertisement in the local press. The period for consultation replies expired on 17th February 2005.

### **Neighbour Consultation**

One letter of response was received from the Caravan Club who are concerned that an adequate security fence is provided and maintained between the development site and the landscaped area surrounding the Caravan Park and along the Caravan Park side of the proposed footpath from the South Eastern corner of the new estate.

The caravan Club is also concerned that there should not be any link between the proposed public open space and the established landscaped area, which surrounds the touring park. The Caravan Club estimate that in excess of £750,000 is spent in the local business community and expect the Council to take measures to protect the Caravan Park from the possible detrimental effects.

**Highways Agency:** Comments awaited

### **Tees Valley Joint Strategy Unit (Draft)**

It is recommended that Stockton-on-Tees Borough Council be informed that the Tees Valley Joint Strategy Committee has no strategic planning objections as the proposal accords with the broad strategy of the adopted Tees Valley Structure Plan provided that the Borough Council is satisfied that:

the proposed housing development would not be subject to an unacceptable level of off-site industrial noise disturbance;

the proposed housing and commercial business developments would not be liable to cause or exacerbate traffic congestion on A1046 Portrack Lane or elsewhere and, any remedial measures necessary to deal with contamination on the site are carried out.

### **Tees Valley Regeneration**

Tees Valley Regeneration wishes to support re-development of the Corus site and believes that if handled sensitively, it could complement the exciting regeneration opportunity at North Shore. The use of a detailed design code would help to ensure that the necessary integration of the Corus site with North Shore is delivered and a planning condition be used to require a detailed design code from the developer with specific informatives on particularly important issues, e.g. street furniture, public art, materials, scale and massing, landscaping, etc.

### **Development Plans**

This is a major application that has regional and strategic implications. It is understood that the Joint Strategy Unit has provided comments that take account of the existing Regional Planning Guidance (RPG1), as well as emerging Regional Spatial Strategy (view: shaping the north east), together with the adopted Tees Valley Structure Plan. These comments were considered by Joint Strategy Committee on 18<sup>th</sup> March who agreed there were no strategic objections to the proposals. However they considered the Borough Council would need to satisfy itself that

- i) the proposed housing would not be subject to an unacceptable level of noise from nearby industry,
- ii) the proposed housing and commercial development would not be liable to cause or exacerbate traffic congestion on A1046,
- iii) any necessary contamination remedial measures would be carried out.

The existing site has no particular Local Plan policies applying to it, since the pipe mill was (and still is) in active manufacturing use, but the North Shore site to the South was allocated for proposed mixed use. Accordingly the abandonment of the pipe mill site will lend itself to mixed uses (other than retail) and in principle the particular mix that is proposed is acceptable. It appears from the submitted application that consideration has been given to the appropriate amounts of development of different kinds on this and the North Shore site and others have commented that ideally the two sites should be appraised together to assure that overall an appropriate mix prevails, - both as regards amounts and types of development.

The above is important in the light of consultation paper 2 on 'Changes to the Development Control System' issued by ODPM recently. This makes suggestions as to the information that should be required from an outline application(s) in the future. Briefly this includes use, quantum of development, indicative layout, scale parameters and indicative access points. From supporting documentation accompanying the application (the planning statement, design statement and environmental statement) it appears that sufficient information has been provided for this application to be determined,

Dealing with each of the proposed uses in turn the following general observations may be made. From the application form it is noted the existing site supports some 77 full time jobs, but rationalisation in the steel sector may mean retention of jobs into Hartlepool, whilst provision of 2.2 ha of industrial land will lead to replacement. (Overall it is estimated the equivalent of over full time 600 jobs may emerge from the overall development.)

It is suggested 375 residential units may be provided on 6.3ha, which is equivalent to 60 dph on the parts of the site dedicated to housing. This represents fairly dense development but is in accord with PPG3 since the site is located close to Stockton Town Centre and will be well served by public transport.

Open Space and structural landscaping is proposed to provide recreational space and buffering to the site. The provision of open space in an east west band across the site appears to be premised on the basis of providing a link between the caravan and camping site and Town Centre, but it may be that a riverside route or a link through the North Shore site would be more appropriate. In addition it may be that more thought needs to be given to bus penetration and routing through this site and North Shore.

In conclusion there is no objection in principle to the types and amounts of development proposed but it may be that further design work will be needed to satisfactorily knit together the two main sites and assure other nearby uses and sites are not adversely impacted by these major developments. In particular it is assumed close contact should be maintained with the University of Durham on Teesside to ensure these developments are generally supportive of the needs for academic expansion in the Town. It is also necessary to assure that the forward programme of development does roll out in a consistent and even manner against a phased programme as suggested in the accompanying statements.

### **Housing Strategy and Development**

Under Policy HO4 any developments over 2 hectares are to have an agreed % of affordable housing. This level changes under PPS3 and allows affordable housing on any scheme over 15 units.

In discussion with our various partners (Housing Options, Allocations, Planning, and Regeneration teams), it was agreed that the % should be 20%, particularly when close to a regeneration area, because of the scarcity of rented/shared equity accommodation within the Borough. We have agreed that in other areas the % can drop to 15% but never less than 10%. These are all dependent on the mix of housing to be provided.

### **Environment Agency**

The Environment Agency has no objections, in principle, to the proposed development but recommends that if planning permission is granted the following planning conditions be imposed: a desk top study on potential contaminants, a site investigation to enable a risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected, a Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters. Installation of Oil interceptors to treat surface water from parking areas and hard standings Providing the conclusions of the flood risk assessment are implemented the EA has no objection to the proposal from a flood risk viewpoint.

## **Education**

I can confirm that residential development on this site would create a need for additional primary school places in the area. Taking into account the impact of other planned developments, the overall additional need may exceed 200 full-time places and 50 part-time (nursery) places. I would suggest that the Planning Authority be advised to impose on all approvals for residential developments in this area a condition requiring a financial contribution pro rata to the number of family homes in each development.

The cost of providing one additional primary school place (in 2006-07) is estimated at £8,000. This is based on an area of 5 sq metres per pupil (in accordance with DfES Building Bulletin 99) at a local building cost of £1,600 per sq m. The average "child yield" factor from areas of new housing development in the Borough is currently 0.26 children (of primary school age) per family home (i.e. homes with two or more bedrooms). The rate of contribution required from developers would therefore be £8,000 x 0.26 = £2,080 per family home.

Payment of developer contributions should be made at the commencement of construction so that school places may be created in line with need.

In addition to the need for new school places created by this development, consideration should also be given to providing safe pedestrian access routes between the new development and the nearest school.

The proposed development will not create any need for additional secondary school places.

## **Environmental Health Unit**

Further to your memorandum regarding the above, I have no objection in principle to the development, however, I do have concerns regarding the following environmental issues and would recommend the conditions as detailed be imposed on the development should it be approved.

### **Possible land contamination**

No development approved by this permission shall be commenced until: -

- a) A desk study report providing information on the previous land uses and an evaluation as to whether ground contamination [i.e.: landfill gas, leachate, ground/surface water pollution] is likely to be present shall be submitted and approved by the Local Planning Authority (LOCAL PLANNING AUTHORITY).
- b) If the outcome of the above indicates that the site may have a contaminative use or is likely to be contaminated [as defined in section 57 of the Environmental Protection Act 1990 with respect to the proposed use], a site investigation including a risk assessment report shall be submitted to and approved by the LOCAL PLANNING AUTHORITY.
- c) Full details of the proposals for the removal, containment or treatment of any contamination [the 'reclamation statement ' ] shall be submitted to and approved by the LOCAL PLANNING AUTHORITY.
- d) If during any construction or reclamation works any contamination is identified that was not considered in the reclamation statement, the reclamation proposals for this material shall be agreed with the LOCAL PLANNING AUTHORITY.
- e) On completion of the remediation scheme a validation report shall be submitted to and approved by the LOCAL PLANNING AUTHORITY.
- f) All works referred to above shall be carried out by or under the direct supervision of a qualified environmental consultant using current guidance.

. I have no objection in principle to the development, however, in addition to the condition that was specified in my previous response, I do have concerns regarding the following environmental issues and would recommend the conditions as detailed be imposed on the development should it be approved.

### **Noise disturbance affecting residential premises**

It is unlikely that there will be any problems with noise disturbance from the existing premises adjacent to the site, however developments within Parcel A on the site (i.e. Air conditioning units operating on a 24-hour basis) may cause a problem. Before the commencement of the development hereby permitted, a scheme for the protection of the proposed residential dwellings from noise from the adjacent units shall be submitted to and approved in writing by the Local Planning Authority. All works, which form a part of such a scheme, shall be completed before any of the permitted dwellings are occupied.

Within such a scheme, some boundaries may require acoustic fencing and mounding, the height and acoustic quality of which should be justified in relation to potential noise source from the immediately adjacent units. In addition there may be a need, where appropriate, for the provision of acoustic double-glazing and mechanical ventilation to first floor bedrooms. An assessment by a noise consultant will be necessary in order to establish where or whether acoustic protection is required.

### **Archaeological Officer**

This site has been involved in ironworking from the mid 19th century. We were consulted on this development as part of the production of the Environmental Impact Assessment and are satisfied with the recommendations made in the report with respect to archaeology (Section 8.62).

In summary the Corus works have been identified as a historical resource of local interest. In this case the option to preserve the remains 'by record' rather than in situ is the most appropriate way forward. This can be achieved by producing a high quality photographic record of the existing buildings along with historical research into the site and oral testimony from former workers. It is hoped that such a study would be published to a wider audience, either as a work in its own right or as part of a local publication such as the Cleveland Industrial Archaeologist.

I suggest that a condition is attached to any planning consent detailing the recommendation for recording.

#### Condition

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording, analysis and publication in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the local planning authority.

#### Reason

As the building is of historic significance the specified record is required to mitigate impact.

### **Landscaped Architect**

Generally the report appears to be thorough and follows Environmental Impact Assessment (EIA) guidelines assessing the proposals and identifying impacts and mitigation. The EIA is, therefore, acceptable, in landscape & visual terms. Should the development proceed to a full application the following information will be required:

## Site Appraisal

For this scheme the applicant should consider the sites location and its relationship with the adjoining site for which a master plan has been prepared. Any scheme submitted should clearly demonstrate how consideration has been given to both of these factors.

The development principles relevant to the Northshore areas are:

The development of substantial, prominent and active public realm;

High quality, well designed buildings and spaces to create an urban place with identity and character to respect the River Tees/ Portrack Lane location;

Highly accessible, pedestrian-friendly development including links to water frontages, the Barrage and Portrack marsh; and the visual prominence of motor vehicles minimised;

A built scale appropriate to the adjoining development and roads network;

A sense of place, strong image and character;

A well structured, mutually supportive residential and working environment;

## **OPEN SPACE PROVISION**

### OPEN SPACE

A scheme for the provision of Open Space and a fixed play area shall be submitted to and approved in writing by the Local Planning Authority before development commences. The details of the submitted scheme shall be in accordance with accepted Stockton Council adoption policy and have been agreed by the Council to be adopted

This play area will be in addition to the required open space provision

A commuted lump sum shall be paid by the applicant or their successors in title to the Council for on going maintenance costs and the sum to be paid will be calculated using the attached Matrix *COMMUTED LUMP SUM CALCULATION* for 20 years maintenance. before development commences

Large hard surface areas (public realm) and any trees along cycle ways may be considered for adoption by highways.

All other landscape treatment associated with the development will be designed to be within the curtilage of the individual residential units and will not be considered for adoption.

The issue of collateral Warranty was raised but the Environmental Health Unit Manager has commented that problems would only ensue in the future if

1. Land use changes, which is in the hands of the landowners anyway
2. Legislation changes, but this is not likely to be retrospective.
3. Technological advancements improve our knowledge of the contaminants involved or remediation techniques. This is unlikely to warrant action unless the initial investigation was very poor.



### **Transco**

No objections, however there may be apparatus in the area and the promoter is required to contact them directly to discuss their requirements in detail.

### **Joint Public transport Group**

Pedestrian access onto Portrack Lane is essential

Check whether 2 bus stops on Portrack Lane have shelters and if not look for a contribution.

Frequency of buses Monday to Saturday is wrong 3 per hour in each direction. Evening and Sunday 1 per hour in each direction. Early morning Monday – Saturday additional hourly in each direction.

**Northumbrian Water:** New discharges must be on a separate system. Foul flows can be accepted

### **Head of Integrated Transport and Environmental Policy**

#### **Sustainable Transport**

The Transport Assessment sets out the catchment areas for walking (2km from the site), cycling (5KM from the site) and public transport (400m from a bus stop on direct routes. The figures produced are considered acceptable.

It is noted that the entire North Shore development, Stockton town centre and much of Teesdale are accessible to pedestrians from Corus. Accessibility would be improved by the development of North Shore pedestrian infrastructure, particularly if the footbridge adjacent to University of Durham, Queens Campus were completed to reduce walking distances to Teesdale and Thornaby Station. The walking distances are important for trips in both directions from housing at Corus and to the office development at Corus.

Stops on Portrack Lane adjacent to the site are cited for public transport trips. These stops are likely to benefit from increased usage due to the development. At present buses stop at the edge of carriageway to set down or pick up passengers, in view of the more frequent, longer waiting times, bus lay-bys with bus shelters should be provided.

Parking standards do not meet the standards set in the Design Guide as published by the Borough Council. A minimum of 2 spaces per residential property plus 1 space per 35sq.m of office space

Further detailed comments are awaited and will be reported at the meeting.

### **Northumbrian Water**

New discharges must be on a separate system

### **PLANNING POLICY CONSIDERATIONS**

Where an adopted or approved development plan contains relevant policies, section 54A of the Town and Country Planning Act requires that an application for planning permission is determined in accordance with the Plan, unless material planning considerations indicate otherwise. The relevant development plans in this case are the Cleveland Structure Plan, the consultation draft Tees Valley Structure Plan and the Stockton on Tees Local Plan.

Policy GP1 of the Stockton Local Plan states that:

“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
- viii.) The quality, character and sensitivity of existing landscapes and buildings.”

The Joint Strategy Unit has provided comments that take account of the existing Regional Planning Guidance (RPG1), as well as emerging Regional Spatial Strategy (view: shaping the north east), together with the adopted Tees Valley Structure Plan. There were no strategic objections to the proposals. However they considered the Borough Council would need to satisfy itself that

- iv) The proposed housing would not be subject to an unacceptable level of noise from nearby industry,
- v) The proposed housing and commercial development would not be liable to cause or exacerbate traffic congestion on A1046,
- vi) Any necessary contamination remedial measures would be carried out.

## **MATERIAL PLANNING CONSIDERATIONS**

### **Planning Policy and Guidance**

This is a major application that has regional and strategic implications. The Joint Strategy Unit has provided comments that take account of the existing Regional Planning Guidance (RPG1), as well as emerging Regional Spatial Strategy (view: shaping the north east), together with the adopted Tees Valley Structure Plan. There are no strategic objections to the proposals. However, the Local Planning Authority needs to satisfy itself that

- vii) the proposed housing would not be subject to an unacceptable level of noise from nearby industry,
- viii) the proposed housing and commercial development would not be liable to cause or exacerbate traffic congestion on A1046,
- ix) any necessary contamination remedial measures would be carried out.

The existing site has no particular Local Plan policies applying to it, since the pipe mill was (and still is) in active manufacturing use, but the North Shore site to the South was allocated for proposed mixed use. Accordingly the abandonment of the pipe mill site will lend itself to mixed uses (other than retail) and in principle the particular mix that is proposed is acceptable. It appears from the submitted application that consideration has been given to the appropriate amounts of development of different kinds on this and the North Shore site and others have commented that ideally the two sites should be appraised together to assure that overall an appropriate mix prevails, - both as regards amounts and types of development.

The above is important in the light of consultation paper 2 on ‘Changes to the Development Control System’ issued by ODPM recently. This makes suggestions as to the information that should be required from an outline application(s) in the future. Briefly this includes use, quantum of development, indicative layout, scale parameters and indicative access points. From supporting documentation accompanying the application (the planning statement, design statement and environmental statement) it appears that sufficient information has been provided for this application to be determined,

Dealing with each of the proposed uses from the application form it is noted the existing site supports some 77 full time jobs, but rationalisation in the steel sector may mean retention of jobs into Hartlepool, whilst provision of 2.2 ha of industrial land will lead to replacement. Overall it is estimated the equivalent of over full time 600 jobs may emerge from the overall development.)

It is suggested 375 residential units may be provided on 6.3ha, which is equivalent to 60 dph on the parts of the site dedicated to housing. This represents fairly dense development but is in accord with PPG3 since the site is located close to Stockton Town Centre and will be well served by public transport.

It is considered that there is no objection in principle to the types and amounts of development proposed but further design work will be needed to satisfactorily knit together the two main sites and ensure other nearby uses and sites are not adversely impacted by these major developments. In particular it is assumed close contact should be maintained with the University of Durham on Teesside to ensure these developments are generally supportive of the needs for academic expansion in the Town. It is also necessary to ensure that the forward programme of development does roll out in a consistent and even manner against a phased programme as suggested in the accompanying statements.

### **Re-use of allocated land.**

The application site is previously developed land allocated for general industrial or storage and distribution uses in STLP policy IN2p, and residential development on this site is therefore considered to be a departure from the adopted Stockton on Tees Local Plan (1997).

Nevertheless, Government policy and the more recent development plan document, the Tees Valley Structure Plan, calls for a strategic review of employment land allocations and the continued suitability of such sites judged on accessibility, compatibility with neighbouring uses, cost of site preparation, likely attractiveness to industrial and business users and [its] contribution to range and choice of sites.

Whilst the Structure Plan calls for re-allocation through the local plan process it is considered that, based on existing and emerging Government guidance, it is contention of the applicant that there is sufficient support in adopted and emerging guidance and policy to warrant a case specific review of this site and to allow residential development on allocated industrial land. The argument for which is set out below:

In the wider context, Regional Planning Guidance for the North East (RPG1) published in November 2002, requires that all authorities in the region undertake a review of allocated employment sites, and emerging Government guidance in the Regional Spatial Strategy also calls for a review of employment land allocations, acknowledging an over supply.

Planning Policy Guidance Note 3: Housing, calls for previously-developed sites to be prioritised for new residential development, and in particular in paragraph 42, acknowledges that some authorities have allocations of land for employment and other uses which cannot realistically be taken up in the quantities envisaged over the life of the plan. Further to this it is reported that the Government regards this as a wasted resource, especially where such sites include previously developed land. Indeed those views are compounded in the emerging replacement for this document, Planning Policy Statement 3, which calls for applicants for planning permission for development that includes housing to be able to expect expeditious and sympathetic handling of planning proposals, subject to

certain criteria, which concern land allocated for industrial or commercial use in development plans which is no longer needed for such use, and [as is the case in Stockton] where a review has not taken place.

The Stockton on Tees Local Plan First Review: Issues Report (June 2000) acknowledges that it may be argued that the Borough has an over allocation of industrial land. There are large swathes of land allocated for industrial uses with, in reality, only limited prospects of development.

In March 2004, and at the behest of the Government, Stockton Borough Council published an Urban Capacity Study. Its remit, to establish how much additional housing might come forward within urban areas and how much Greenfield land may be needed for development. The study identified the various sources of supply that could contribute towards achieving a higher housing yield from buildings and land that are within the main urban areas.

One of the sources of supply identified in the Study was the category “Other allocations in the Local Plan”. The Study identified that there is more than an adequate supply of land for industry, and that the past and current rates of take up will not be enough to come anywhere near the overall amount allocated by the end of the current plan periods. Notwithstanding the pre-maturity of this proposal, pre-empting the review of allocated sites as part of the review of the STLP, it is considered that there is sufficient support to recommend that this site be accepted for residential development in principle.

It is clear that there is an oversupply of allocated industrial land in the Teesside region and in Stockton Borough. This is acknowledged in Regional and Local Planning Guidance and Policy Statements.

In making detailed site by site judgements, RPG 1 requires that a sequential approach be adopted for the review of the continued suitability of employment sites and those comprise, in order of priority, suitable previously developed sites and buildings within urban areas; other suitable locations within urban areas not identified as land to be protected for nature or heritage conservation or recreation purposes; suitable sites in locations adjoining urban areas, particularly where this involves the use of previously developed land; and all sites should be in locations that are, or will be, well related to homes, jobs and services by all modes of transport, in particular, public transport, walking and cycling – subject to sustainability criteria. The RPG further gives further detailed advice and criteria for the re-assessment of current employment land allocations.

Helpfully, paragraph 31 of PPG3 similarly provides criteria against which local planning authorities should assess the potential and suitability of sites for housing development, namely: availability of previously developed sites, location and accessibility, capacity of existing and potential infrastructure, ability to build communities, and the physical and environmental constraints on development.

In terms of the advice and criteria set out in RPG and PPG, support can be given to residential development on this site, in that it is previously developed but allegedly redundant site, is accessible to local facilities and public transport, there are no objections in highway terms, and issues of sewerage, contamination, flood risk and land stability can be adequately addressed.

With a different emphasis, TVSP policy EMP4b requires that the continued suitability of the site for employment use be judged on accessibility, compatibility with neighbouring uses, cost of site preparation, likely attractiveness to industrial and business uses, and contribution to range and choice of sites.

The applicant has argued that the site does not contribute to choice and variety of site; there is no prospect of development for employment purposes, acceptable alternative uses can be identified which meet the general principles of sustainable development and the re-allocation will have no adverse effect on local strategies for economic development and regeneration.

Indeed, adopted Stockton on Tees Local Plan policy IN10 permits the release of existing industrial land and buildings if it can be demonstrated that suitable other site and buildings are available both in the short term and to satisfy the long term requirements over the plan period in the immediate locality and the wider area.

Given the above it is considered that support can be given for the use of this industrial site for residential development.

## **THE ENVIRONMENTAL IMPACT ASSESSMENT**

### **Access and Highway Safety**

Access is indicated via the existing industrial estate access road. The provision of a second access road to the south of the site is considered desirable. The applicant is now making a financial contribution provision to enable the second access road to be provided. The Highways Agency's concerns about the impact on the A19 trunk road have been addressed and details of remediation works and a financial contribution from the application are being finalised.

### **Educational Requirements**

The applicant has indicated that they will enter into a Section 106 Agreement to provide a financial contribution for the additional primary school places required which is acceptable to the Planning and Policy Officer in Education.

### **Neighbouring Uses**

The site is bounded by industrial development to the west, commercial and Industrial development to the east. To the south is the Community Centre. Given this, it is considered that in principle the residential development would be compatible with neighbouring uses and subject to careful layout and design in latter stages, would not have an undue adverse impact on the amenity of adjacent land uses. In this respect the development accords with STLP policies GP1 and HO3

### **Noise**

The applicant has prepared an assessment of the likely noise impact of surrounding uses on the proposed residential development

The Environmental Health Manager has advised that it is unlikely that there will be any problems with noise disturbance from the existing premises adjacent to the site, however developments within Parcel A on the site (i.e. Air-conditioning units operating on a 24-hour basis) may cause a problem. This can be addressed by way of a planning condition to provide sound attenuation to the properties likely to be affected  
Given the controls available, it is considered that the proposal does not conflict with STLP policies GP1 and HO3 in this respect.

### **Contamination and Landfill Gas**

The Environment Agency and the Environmental Health Unit have raised both these issues given the past uses of the site. These matters are addressed in the Desk Study and Ground Investigation Reports. Planning conditions can be attached to any permission granted requiring remediation works and to implement any engineering measures to facilitate development of the site based upon those findings. The Environment Agency has no objection to the proposal subject to appropriate controlling conditions. Accordingly the proposal does not conflict with STLP Policy EN34 and TVSP Policy ENV30 in respect of contaminated land.

### **Open Space and Landscaping**

The supporting information accompanying the application indicates that the residential development is anticipated as progressed from north to south and the commercial development east to west. Each phase of development would provide the infrastructure appropriate to that scale and nature of development. Detailed proposals will comprise schemes that will ensure suitable treatment of and separation from the remaining undeveloped portions of the site.

### **CONCLUSIONS AND RECOMMENDATION**

The proposed development is generally acceptable in planning terms, approval is recommend subject to clearance from the Highways Agency, the applicant entering into a Section 106 agreement in relation to the financial contributions required and appropriate planning conditions,

### **Director of Development & Neighbourhood Services**

Contact Officer: Barry Jackson - Telephone No. 01642 526066

### **Financial Implications:**

None

### **Environmental Implications:**

See report.

### **Human Rights Implications**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications

None

### **Background Papers:**

Application files 005/0026/EIS  
Urban Capacity Study – Stockton Borough Council  
Regional Spatial Strategy – Consultation Draft

**Ward and Ward Councillors:**

Stockton Town Centre Ward: Councillors Coleman and Kirton