

DELEGATED

AGENDA NO.

REPORT TO PLANNING COMMITTEE

DATE: 31st MAY 2006

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

06/0670/FUL

**NORTHSHORE FOOTBRIDGE LINKING TO TEESDALE TO NORTHSHORE
DEVELOPMENTS CROSSING THE RIVER TEES FUDAN WAY TO
NORTHSHORE ROAD STOCKTON
ERECTION OF COMBINED FOOTWAY/CYCLEWAY BRIDGE LINKING
TEESDALE BUSINESS PARK AND NORTHSHORE DEVELOPMENT.**

SUMMARY

1. In 2001 a Masterplan was prepared on behalf of English Partnerships for the core North Shore (formally Northbank) site. Within the Masterplan an essential component of the site infrastructure was the construction of a pedestrian cycle bridge to connect Teesdale on the south bank to the North Shore site, in order to integrate developments on both sides of the river and facilitate the expansion of the University of Durham's Queens campus
2. In June 2002 planning permission was granted for two linked planning applications relating to the North Bank area of the River Tees. Outline approval for a mixed-use development of offices, educational research, residential, café, pub/restaurant together landscaping, footpath/cycleways and riverside promenade. Full permission was also granted for the infrastructure works (i.e. main road system etc) and reclamation of the site.
3. The reclamation and infrastructure works were to allow implementation of the north bank scheme. The application incorporated and built upon the previous permission (99/1716/P) approved 10 December 1999 for the proposed site roads including a pedestrian bridge over the river Tees linking the site to Teesdale adjacent to the University
4. During 2003 a decision was made by Tees Valley Regeneration and its partners that an opportunity existed to raise the profile of the bridge by selecting a unique design that was both iconic and created an instantly recognisable landmark for North Shore. The aspiration for the bridge was that it would change perceptions of the area acting as a catalyst for investment and development in this regionally significant site.
5. An International design competition was held to commission the services of a 'signature' architect to design a prestigious and distinctive bridge. The Community were engaged in the selection process by the holding of exhibitions and the opportunity of voting for the favourite design.
6. The selected and most popular design has now been submitted for planning approval. Whilst there are concerns expressed by the Castlegate Marine Club

about the impact of the bridge on the movement of river traffic under the bridge, both the applicant and British Waterways are aware of these concerns and their confirmation that the bridge satisfies navigational criteria is awaited.

RECOMMENDATIONS

It is recommended that: subject to confirmation from British Waterways that the bridge satisfies their navigational criteria, planning application 06/0670/FUL be approved subject to appropriate conditions including landscaping, drainage, contamination remediation

THE PROPOSAL

7. The proposed footbridge would connect the University Campus at Harvard Avenue on the south side of the river to a point directly opposite linking up with the North Shore Spine Road. (Appendix 1)

8. The design of the bridge would consist of two linked cantilevered arches one large and one small, above the pedestrian deck with the total suspended section of the route 180 m in length comprising a 120 m long northern span and a 60m long southern span. The arches would be formed from tapered fabricated structural steel plate box sections while pairs of horizontal high strength cables tie the feet of each arch and prestress the bridge deck. High strength steel cable hangers suspended from the underside of the arches support the deck. In addition to the cantilevering supporting the footbridge the bridge would be supported on the two banks and at the point in the river where the two curves meet. (Appendix 2)

9. The bridge will be illuminated by an integrated lighting system that has been designed to give a dramatic view as well as enhancing the pedestrian experience when walking across the bridge after dark. The large arch will be uplit by luminaries located on arms that extend beyond the parapets of the bridge. For pedestrians there will be deck-recessed luminaries located adjacent to the balustrading and the angle of incident light from the light fittings will be controlled to prevent any glare for the drivers and operatives of boats in the vicinity of the bridge

CONSULTATIONS

British Waterways:

10. The Tees Navigation Strategy proposes improved river circulation and specifically identifies a proposed footbridge to link the Teesdale and North Bank areas. The proposed bridge is an iconic structure, which will provide a punctuation feature both for those navigating the river and those crossing the river.

11. We are in discussion direct with the developers to ensure the bridge satisfies our navigational criteria and that our code of practice for third party development is satisfied.

Environment Agency

12. The Agency has no objection subject to the following condition:
There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Head of Integrated Transport and Environmental Policy

13. No objections in principal. Several technical points were raised with the bridge designers but no feedback has been received.

14. Public footpath no. 37 Stockton will be affected by these proposal. The applicant will be required to arrange for the making of any necessary orders for the stopping up or diversion of existing rights of way.

Environmental Health Unit

15. No objection in principle, however, there are concerns regarding environmental issues and would recommend the conditions detailed below be imposed.

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 evaluation as to whether ground contamination (i.e. landfill gas, leachate, ground/surface water pollution) is likely to be present shall be submitted to and approved by the 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 development 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

Landscape Officer

16. No objection in principal subject to additional information which can be dealt with by way of planning condition relating to full soft landscaping details including plant species, numbers, locations, sizes, planting methods, maintenance and management.

17. It is also recommended that any granite treatment of the scheme integrates into the already granite finish implemented on the eight bridges cycleway.

Neighbour Consultation

18. The application was publicised by press advert, site notice and letter to adjacent occupiers. The period for comment expired on 6th April 2006. One letter of objection was received from Solicitors acting on behalf of the Castlegate Marine Club.

19. The Club is in principle in favour of the construction of a new footbridge and is anxious to promote the general improvement of the North and South shores of the Tees.

20. The Club wishes to voice the strongest possible objection to the present design limited to the following aspects:

- (a) the height of the bridge above the water level and
- (b) the proposed location of the navigation channel

The Club is concerned to ensure there is sufficient height between any bridge and the water to allow masted seagoing vessels to pass safely. This has been restricted to 11.5 metres since the erection of the Barrage. The proposed footbridge shows only a clearance of only 8 metres and unnecessarily restricts the classes of boats being able to navigate the Tees up to the Diana Bridge.

21. The Club consider that the restricted height of the footbridge is contrary to the Parliamentary Undertaking of 25th June 1990 between the Teesside Development Corporation, the Royal Yachting Association and the Club for the preservation of the rights of river users.

22. The Club objects on the following grounds:

- 1) There is insufficient clearance height as set above
- 2) The location of the navigation channel as it appears on the plan provided is considered a potential danger to some craft, being too close to the North Shore. There would also be insufficient keel depth and therefore the channel should be located in a deeper part of the river and away from the Rowing Course.
- 3) The effect on the Club in particular any further height restriction above the Tees Barrage is contrary to the spirit and intentions of the Parliamentary Undertaking and the Heads of terms
- 4) The present proposed design of the footbridge unnecessarily restricts the activities or potential activities of the Club and in some cases will prevent access to and from the sea.
- 5) The proposed clearance height imposes a limitation on future applications for membership to the Club by members of seagoing sailing vessels.
- 6) Similarly, access to the newly developed area by visitors wishing to sail up the Tees from other regions would be unnecessarily restricted.

PLANNING POLICY

23. Policies relevant in the Tees Valley Structure Plan

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| SUS1 | new developments must make a positive contribution towards achieving sustainable development. |
| SUS2 | preference for development to be given to brownfield sites, promoting re-use of vacant land and building, encouraging locations which minimise need to travel, and protecting the environment. |
| STRAT1 | majority of future development to be located on previously developed sites within in urban area particularly along the Tees Corridor |
| EMP2 | priority to be given to business and industrial development on brownfield sites meeting certain criteria in respect of access by public transport and good footpath and cycleway links. |

- ENV21 encourages the redevelopment of vacant and derelict sites including landscaping and managing planting
- ENV22 derelict and disused land will be reclaimed with priority given to sites that have a major impact. Restoration and after use to have regard to the overall setting and landscape character and creation of new habitats.

Stockton on Tees Local Plan

24. There are a number of policies within the adopted Stockton on Tees Local Plan, which are relevant to the present proposal. The principal policy is Policy EN 17a which identifies the North Bank site as being appropriate for a range of uses including industry, commerce, housing, sport, recreation, tourism and education.

25. Other relevant policies include TR1b and REC21 which seek to ensure the provision of a new pedestrian bridge over the river; ED4 reserves land on the north bank for the expansion of the university; a number of recreational policies (REC14f, 17n and 18b) relating to landing points, mooring etc and policies REC11, REC20 and TR4 relating to the provision of a cycleway/footpath along the river bank.

26. Policy GP 1 requires proposals for all development to be examined in relation to policies in the structure plan and a number of criteria. The criteria include:

- The external appearance of the development and its relationship with the surrounding area
- The effect on the amenities of the occupiers of nearby properties
- The provision of satisfactory access and parking arrangements.
- Need for a high standard of landscaping
- Effect upon wildlife habitats
- Effect on public rights of way network

MATERIAL PLANNING CONSIDERATIONS

27. From an examination of planning policy, the concerns raised by the Castlegate Marine Club and the statutory consultees a number of issues can be identified which are material to the determination of the application

Planning Policy

28. The development is clearly in accordance with the policies indicated above which seek to ensure the provision of a new pedestrian footbridge over the river. In terms of assessing the impact of the bridge as required by policy GP1 this is considered below

Visual Impact,

29. In terms of the external appearance of the development and its relationship with the surrounding area, it is considered that the proposed footbridge is a unique design that is both iconic and will create an instantly recognisable landmark for North Shore. The aspiration for the bridge is that it will change perceptions of the area acting as a

catalyst for investment and development in this regionally significant site. Therefore it is considered that the proposal will have a positive visual impact on the surrounding area.

Navigation Issues

30. The proposed footbridge will need to function properly in terms of waterway operations and its users

31. The Castlegate Marine Club objections are primarily there is insufficient clearance height between the Bridge and the water. The location of the navigation channel is considered a potential danger to some craft, being too close to the North Shore. There would also be insufficient keel depth and therefore the channel should be located in a deeper part of the river and away from the Rowing Course. The Club considers that the present proposed design of the footbridge unnecessarily restricts the activities or potential activities of the Club and in some cases will prevent access to and from the sea. The proposed clearance height is considered to impose a limitation on future applications for membership to the Club by members of seagoing sailing vessels. Similarly, the Club consider access to the newly developed area by visitors wishing to sail up the Tees from other regions would be unnecessarily restricted.

32. Tees Valley Regeneration in the supporting information accompanying the application has specifically addressed the navigation issues and how the design of the proposed footbridge was arrived at.

33. In 2002 planning permission was granted for a clear span arch bridge spanning approximately 150 metres. However, during 2003 a decision was made by Tees Valley Regeneration and its partners that an opportunity existed to raise the profile of the bridge by selecting a unique design that was both iconic and created an instantly recognisable landmark for North Shore. The aspiration for the bridge was that it would change perceptions of the area acting as a catalyst for investment and development in this regionally significant site.

34. It was noted that the indicative bridge originally approved had not only a very long clear span but if built would be the longest span footbridge in the country. The current longest clear span footbridge is the London Millennium Bridge at 144 metres. After consultation between Tees Valley Regeneration and British Waterways (the navigation authority) it was agreed that it would be possible to have one pier in the river. This being dependent upon a number of conditions set predominantly by the existing and proposed sporting activities on the river.

35. The indicative bridge had two aircraft requirements set. Following earlier public consultation, these were that there should be a minimum clearance of 5 metres over the whole of the river and that there should be a minimum clearance of 8 metres over a defined width of 12 metres. This greater headroom to be clearly indicated to river users. The 8 metre aircraft being similar to that of the new Stockton Millennium Bridge which provides access from Teesdale to the Castlegate Centre.

36. An International design competition was held to commission the services of a 'signature' architect to design a prestigious and distinctive bridge. The community were engaged in the selection process by the holding of exhibitions and the opportunity of voting for the favourite design.

37. Tees Valley Regeneration has given consideration during the design process to varying the previous aircraft requirements. If the bridge were lower it would be easier for pedestrian to use and costs would be lower but would restrict the use of the river. If the bridge were higher the converse would be true, the ease of use by pedestrians would be more difficult and hence the amount of use would be much less whilst being less restrictive to river users.

38. Tees Valley Regeneration has held discussions with the Castlegate Marine Club about the possibility of raising the bridge deck to provide a greater aircraft. Castlegate Marine Club indicated that they used to have a number of high masted vessels but these were reduced in number when the Princess Diana Bridge was constructed. However the Club believes there were agreements such that they could still have vessels of up to 11.3 metre headroom, past the barrage i.e. any new bridge between the Barrage and the Princess Diana Bridge should have the same clearance. This would require the underside of the deck to be about 11.3m. +2.85m or 14.12m AOD, the proposed footbridge is set at 8m +2.85m or 10.85 AOD. Tees Valley Regeneration consider that increasing the bridges aircraft to this extent (raising the proposed bridge deck by 3.5 m) would increase the walking length from the present 414m to 554m and would require the approach ramps at either end to be doubled in length. This would be very difficult to achieve considering the topography of the site at either bank. For comparison purposes the distance between Fudan Way on the south bank and North Shore Road is 285 m or approximately half the possible bridge length, the river is 120 m. wide at this point.

39. Meetings have continued to be held between the parties in an effort to identify the actual usage on this part of the river by high masted vessels. Tees Valley Regeneration believes this to be extremely low and some of the boats have been moored elsewhere since the barrage was built. The number of boats requiring a larger aircraft has still to be established and British Waterways have offered to moor these boats at the barrage.

40. In planning terms the principle of the Bridge has been clearly established. The physical constraints as identified above clearly indicate that there are finite limitations on the extent of the clearance above the water and span of the bridge that can be constructed. The most recent bridge erected in the area the Millennium Footbridge has similar aircraft to that now proposed.

41. The number of high masted vessels is still to be established but Tees Valley Regeneration believe this number to be low and the Club have not yet demonstrated it is a significant number. Equally, British Waterways have offered to moor these boats at the barrage and that is considered to be a reasonable solution to the situation. It is considered therefore that the aircraft of the bridge as submitted is acceptable and on that aspect the proposal will not result in an unacceptable impact on the movement of vessels using the river.

42. The Castlegate Marina Club also raised concerns about the location of the navigation channel as it appears on the plan provided. The Club consider it a potential danger to some craft, being too close to the North Shore. There would also be insufficient keel depth and therefore the channel should be located in a deeper part of the river and away from the Rowing Course. British Waterways as the navigation authority did not raise this as an issue but confirmation is being sought that the navigation channel satisfies their navigation criteria.

CONCLUSION

43. The development in visual terms will significantly change the appearance of the area but for the better. The development now proposed will provide a landmark signature structure as well as providing an important pedestrian route linking the North Shore and the Teesdale area. Whilst there have been objections raised to the proposal by the Castlegate Marina Club relating to the aircraft of the bridge and the navigational channel, It is considered that the aircraft of the bridge as submitted is acceptable and the proposal will not result in an unacceptable impact on the movement of vessels using the river. As indicated above confirmation is being sought that the navigation channel satisfies the British Waterways navigation criteria.

Director of Development and Neighbourhood Services

Contact Officer: Peter Whaley - Telephone No. 01642 526061

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 file: 99/1716/P, 01/1760/P

Ward and Ward Councillors:

Stockton Town Centre: Cllrs David Coleman, Paul Kirton

Mandale and Victoria Ward: Cllrs Angela Norton, Allison Trainer, Steve Walmsley