

DELEGATED

AGENDA NO.

REPORT TO PLANNING COMMITTEE

DATE: 12th July 2006

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

BOWESFIELD PARK, BOWESFIELD LANE, STOCKTON ON TEES

**RESERVED MATTERS APPLICATION FOR THE ERECTION OF 51
DWELLINGHOUSES AND ASSOCIATED CAR PARKING AND MEANS OF
ACCESS (06/1264/REM)**

EXPIRES 1 AUGUST 2006

SUMMARY

This application seeks reserved matter approval for 51 dwellings on 1.2 hectares (3.2 acres) of land at Bowesfield Park. Outline planning approval was granted in May 2003 (01/0600/P) for a mixed use development comprising offices, e-commerce centres, call centres, motor dealerships, hotel, health club, housing, amenity areas, and sailing centre. On 16 February 2006, planning permission was granted on this site for 49 dwellings, associated roads, cycle path and open space.

The reserved matters details submitted relate to siting, design, external appearance and means of access, with landscaping reserved for future consideration. The submitted layout indicates a mix of house types. Open space is not provided, but relies on that provided adjacent to the site.

The application has been publicised and two letters of representation have been received from Mr Bradley at 5 Brisbane Crescent and Jan Arger of CPRE, objecting to the proposed development in respect of its impact on the footpath – Teesdale Way and ground stability.

Minor amendments have been made to the scheme in respect of concerns raised in respect of layout, planting, and parking, and those changes found to be acceptable.

The proposed development is generally acceptable; however comments are awaited from the Environmental Health Unit (EHU). It is not envisaged that the response will raise fundamental objections to the scheme, and therefore subject to a favourable response from the EHU, and in the light of the information supplied and responses from consultees, it is considered that the proposal accords with Adopted Structure and Local Plan policies. It is recommended that subject to conditions as set out in the report, planning permission is granted.

RECOMMENDATION

Subject to the views of Environmental Health Unit , Planning application 06/1264/REM be approved, subject to conditions regarding, time limits, approved documents, landscaping and planting, materials, finished levels, means of enclosure, boundary treatments, removal of permitted development rights parts A to E, drainage, working period, detail of cycle and gravel paths, noise insulation, and any other relevant matters.

BACKGROUND

The Bowesfield site is a former clay extraction site and agricultural land west of the River Tees. Outline planning permission was granted on 6 May 2003 for a mixed-use development including offices, e-commerce centre, call centres, motor dealership, hotel, health club, housing, nature conservation area, amenity area, sailing centre with associate landscaping and roads. The planning permission was conditional, subject to a Masterplan and Design Guide and a Section 106 agreement.

Planning permissions granted subsequently relate to initial road construction, earthworks, reserved matters relating to extensions to approved roads, relocation of approved electricity sub station and construction of water pumping station, substation and two motor dealerships.

The application site is within a larger portion of site allocated for residential development. Two previous permissions for residential development (05/0967/REM and 05/0947/REM) are extant. The application site forms part of the 05/0967/REM; the remainder, for which an application has been submitted by Barratts for 19 dwellings will be determined later this year.

PROPOSAL

The Application Site

The application relates to a 1.3 hectare (3.2 acres) site located to the east of Queen Elizabeth Way within Bowesfield Park. Earthworks associated with development on this, and the larger site, are ongoing.

The site is bounded to the west by housing and to the north west by a motor dealership; to the south by housing with a site frontage to the south east onto the banks of the River Tees. To the north, land is allocated for leisure/office development.

Access to the site is via internal roads, which lead to Queen Elizabeth Way (South Stockton Link Road - SSLR).

The Proposed Development

The reserved matter application relates to matters of siting design, external appearance, means of access, with landscaping reserved for future consideration. The submitted layout shows 51 dwellings of mixed house types at a density of 39.4 per hectare providing three and four bedroomed accommodation, including some two and three storey dwellings. External materials are to be agreed.

Parking is provided in a mix of on and off curtilage driveways and garages. The means of enclosure are a mix of timber fences and to the river side, 1.1 metre metal railings.

The layout shows the route of a cycle and gravel path leading from the riverside into the site. Where the paths fall within the application site, they would be finished to Council standards.

CONSULTATIONS

The planning application has been publicised by means of individual letters, site and press notice.

One letter of objection has been received from Mr S E G Bradley of 5 Brisbane Gardens, Thornaby. The grounds of objection are that the proposal would lead to the diversion of the footpath along the River Tees and that the new route along the steep sided bank would not be safe. Furthermore, even a safe path would require regular maintenance to prevent it slipping down into the river. The loss of the footpath would not only require a diversion of the Teesdale Way but would also create a barrier across the Green Wedge and the River Tees Country Park, which exists at this point. Mr Bradley also objects to the 3 storey buildings, which he considers would be intrusive in this location, and hence they should be replaced with 2.5 storey buildings.

Head of Integrated Transport and Environmental Policy

Raises no objection to the scheme.

Landscape Officer

Comments that the principle of development is acceptable in landscape and visual impact terms, however the hard landscaping, including boundary treatment must follow the approved Bowesfield Stockton Design Guide December 2002 as supplemented by the existing permissions for adjoining sites. This is to ensure that the roadscape remains constant with similar treatment. A detailed landscaping scheme is required, prior to the commencement of development.

Environmental Health Unit

Comments awaited

CE Electric UK has no objections to the proposal and has forwarded mains records for the area

Environment Agency

Makes no comments.

English Nature

English Nature has no comment to makes their records do not indicate the likely presence of a protected species on the site but the applicant must ensure that the development does not conflict with the legal protection of species as set out in ODPM Circular 06/2005 The proposal may affect a locally designated site namely the adjacent Bowesfield Nature Reserve and advise contact with Tees Valley Wildlife Trust. English Nature advises that the Council consider the key principles in Planning Policy Statement 9 and policy regarding Regional and Local Sites set out in paragraph 9, and its duty on wider biodiversity matters in respect of landscaping and planting proposals.

Tees Valley Wildlife Trust

Has not responded.

The Ramblers Association

Has no comments to make.

Tees Archaeology

Comment that there are no known archaeological sites in the area indicated and therefore have no objections to the works and no further comments to make.

British Waterways

Comment that the site is within the buffer zone, and has no impact on the waterway and there have no comment to make.

Northumbrian Water

Makes general comments in respect of water supply and foul and surface water. Comments that a public sewer runs through the site and sets out a 3 metre stand off for new buildings, structures, tree planting and alteration of the land.

Northern Gas Networks

Has no objection to the proposal

Development and Regeneration

Has not responded

Care for your Area

The open space requirement (need for active recreational space - kickabout area) for this development has been covered in the overall Masterplan.

Parks and Countryside

Has not responded

Development Plans Officer

Has not responded

Thornaby Town Council

Has not responded

Corporate Director Children, Education and Social Care

Has not responded

Council for the Protection of Rural England

It is understood that there is an intention to divert the Teesdale Way footpath from the present field boundary to one much closer the river bank. Significant concern that the position along a steep bank next to the river will suffer great erosion and slippage and will require heavy maintenance to stabilise it over the wet weather and this will rapidly lead to the pathway being destabilised and impracticable to use. This area is already used frequently and with additional pressure coming from the new residential area we consider it is most important to ensure the continuity and protection of the existing pathway, especially given the significance of the location along the River Tees Heritage Park and in the Green Wedge, between Stockton Town Centre and Yarm/Eaglescliffe.

We also note the range of heights of new residences, while it is important to have a varied roofscape we consider 2.5 storeys the maximum height, which would be appropriate for this prime location to minimise impact of the new build. We would also comment on the boundary finish against the river valley. Given the nature of the river valley here we feel that it is important to not box in the pathway with heavy fencing and that any fence lines should be compatible with others along the length of this new development.

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 shall be determined in accordance with Plan, unless material considerations indicate otherwise.

In this case, the relevant Development Plans are the Tees Valley Structure Plan (TVSP) and the adopted Stockton on Tees Local Plan (STLP)

STLP Policy GP1 requires all proposals for development to be assessed not only against Structure Plan policy, but also against a number of criteria which include concerns about the external appearance of the development, effect on the amenities of neighbouring occupiers, access and parking arrangements, need for a high standard of landscaping and its relationship with the surrounding area.

STLP Policy HO3 states that within the limits of development, residential development may be permitted provided that the land is not specifically allocated for another use, not underneath electricity lines, does not result in the loss of a site which is used for recreational purposes, is sympathetic to the character of the locality, takes account of important features within the site, does not result in an unacceptable loss of amenity to adjacent land, and satisfactory arrangements can be made for access and parking.

STLP Policy HO11 states that new residential development should be designed and laid out to provide a high quality of built environment in keeping with its surroundings, incorporate open space, provide a satisfactory degree of privacy and amenity, for new dwellings and existing occupiers of neighbouring properties, pay regard to existing features and ground levels, provide adequate access, parking and servicing, and incorporate features to assist in crime prevention.

STLP Policy EN6 seeks to safeguard protected plant and animal species and their habitats by ensuring that if consent for a proposal deemed harmful to the species is given, they will consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the protection of the species.

STLP Policy REC10 seeks to ensure that the effect of development on public rights of way is considered in the determination of applications for planning permission.

STLP Policy TR4 seeks to develop a network of cycle routes within the Borough.

Planning Policy Guidance Note 3 'Housing' (PPG 3) advises that most additional new housing should be on previously developed land within urban areas to minimise the amount of greenfield land developed. PPG 3 states that Local Planning Authorities should therefore avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net, encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net) and seek greater intensity of development at places with good transport accessibility such as city, town and district and local centres or around major nodes along good quality public transport corridors.

Alongside the above, PPG3 states that new housing development of whatever scale should not be viewed in isolation. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring

buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help determine the character and identity of a development, recognising that new building technologies are capable of delivering acceptable built forms and may be more efficient. Local Planning Authorities should adopt policies which create places and spaces with the needs of the people in mind which are attractive, have their own distinctive identity but respect and enhance local character, promote designs and layouts which are safe and take account of public health, crime prevention and community safety considerations, focus on the quality of the places and living environments being created and give priority to the needs of pedestrians rather than the movement and parking of vehicles, avoid inflexible planning standards and reduce road widths, traffic speeds and promote safer environments for pedestrians and promote energy efficiency of new housing where possible.

Planning Policy Guidance Note 13 'Transport' seeks to promote more sustainable transport choices, accessibility to jobs, shopping leisure facilities and services by public transport, walking and cycling and reduce the need to travel, especially by car.

MATERIAL PLANNING CONSIDERATIONS

The main considerations in respect of the proposed development relate to planning policy implications, impact on the amenity of the residents of adjacent and proposed dwellings, and occupiers of adjacent properties, impact on the streetscene and visual amenity, access and highway safety considerations, impact on any archaeological and nature conservation interests.

Land Use Planning Policy Issues

The outline planning approval has established that the site is suitable for the development, and therefore there are no wider policy implications arising from housing development on this site. The current application seeks approval for the detail of how the site is laid out and designed; an assessment of the scheme and the policy considerations arising from those details are set out below.

Residential Amenity and Adjoining Uses

The proposed layout has been assessed in relation to the approved and proposed housing development, which surrounds the application site to the north, south and west. The layout incorporates a variety of house types (including two and a half and three storey dwellings) and garden sizes, generally arranged in two linear strands, a private drive and a cul-de-sac. The disposition of proposed dwellings reflects those standards accepted on the previously approved adjacent housing sites. The design and layout of the site is acceptable in terms of impact on the amenity of the future occupants of neighbouring dwellings, both within and without the site.

In terms of other adjoining uses; to the north, land identified as Area J in the approved Masterplan is allocated for Leisure/Office uses. To the north west planning permission has been granted for a motor dealership. It is considered that given careful consideration of the layout of any new adjacent development and that approved can co-exist without an unacceptable mutual impact.

Visual Impact

The proposed housing would be readily visible from surrounding views, but as part of the immediate surrounding housing site, and the wider Bowesfield Park. The application site rises from the riverside towards the SSLR, and is bordered to the south and west by recently approved Barratt's housing development. To the south east, the site is open to the riverside. Whilst clearly visible, the proposed housing

would be seen against a backdrop of approved surrounding built development, and a foreground of the Wildlife Conservation Area and riverside landform and vegetation.

In terms of the internal layout, the siting of the new dwellings incorporates a stand-off from the highway and some planting to soften the views along the main thoroughfares. A cul-de-sac central north within the application site and dwellings served by a private drive creates two smaller enclosures and added interest.

Mr Bradley objects to the three storey dwellings on the site. On this site, the ridge heights vary between house types, and the three storey dwellings appear adjacent to two and a half and two storey dwellings. Given the variation in height of surrounding dwellings, it is not considered that the visual impact of those structures would be such to require their substitution for an alternative house type incorporating a lower ridge height.

Tree planting and low level shrub planting is proposed throughout the site. The detail of the landscaping can be controlled by condition and be determined at a later date. There are no objections to the scheme arising from the Landscape Officer.

In light of the above, it is considered that the proposed development would not have an adverse impact on local visual amenities, from within and without Bowesfield Park.

Access and Highway Safety

The access to the site from the SSLR would be via an internal road. An amended layout has been received addressing concerns of regarding sightlines, parking and junction arrangements. There are no objections arising from the Head of Integrated Transport and Environmental Policy to the proposed development in terms of access and highway safety.

Teesdale Way

The supporting information for the outline planning application addressed the matter of footpaths and cycle paths, and in doing so referred Footpath No 1, known as the Teesdale Way. It is described as meandering in a north/south direction and borders the Wildlife Conservation Area, to the east and terminating abruptly to the south of the Bowesfield Farm area. The outline did not envisage any changes to the route of the footpath, but suggested that the character would be changed by softening views, with changes to the immediate environment. The proposal included new footpaths, to connect with the Footpath No 1, enabling circular walks.

Notwithstanding this background information, and in response to the concerns of Mr Bradley and CPRE, the proposed development makes no alteration to the line of Footpath No 1. The proposal has been assessed in accordance with policies REC10 and TR3 of the adopted Stockton on Tees Local Plan, and it is considered that the new cycle and gravel path would help to improve local connections to riverside path network.

Nature Conservation

The application site has been previously disturbed with extensive earthworks including compaction and where relevant decontamination works undertaken. The site is part of a wider development for which outline planning permission has been granted. English Nature raises no objection to the proposal and although Tees Valley Wildlife Trust has not commented, it is considered highly unlikely that the development would give rise to adverse impacts on nature conservation interests

within and adjacent the site. It is considered that the proposal does not conflict with policy EN6 in this respect.

Community Forest

The site is within the area of the Community Forest, where policy EN11 of the adopted Stockton on Tees Local Plan seeks to encourage tree planting and requires assessment of submitted schemes in this respect. The layout does not allow for areas of woodland, but shows individual and small groups of trees to be planted. It is considered that the proposed scheme can make a minor contribution to tree cover within the Community Forest and would not undermine the intent of Policy EN11.

Land Stability

Mr Bradley and CPRE refer to ground stability matters. The outline application addressed the matter of ground stability, and the requisite remediation and compaction works have taken place on the housing and commercial areas.

CONCLUSION

In light of the above assessment, it is considered that the proposed layout accords with adopted planning policy and guidance, and provided that there are no comments to the contrary from the Environmental Health Unit, is therefore acceptable. It is recommended that subject to the favourable response from the Environmental Health Unit that planning permission is granted subject to conditions set out above.

RECOMMENDATION

Director of Development and Neighbourhood Services

Contact Officer: Jane Hall– Telephone 01642 528556

Financial Implications

None

Environmental Implications

As Report

Community Safety Implications

N/A

Human Rights Implications

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

Background Papers

Adopted Tees Valley Structure Plan (2004)
Adopted Stockton-on-Tees Local Plan (1997)
Planning Policy Guidance Note 3 'Housing'
Planning Policy Guidance Note 13 'Transport'

Ward and Ward Councillors

Ward Parkfield And Oxbridge

Ward Councillor Councillor C. Coombs

Ward Councillor

Councillor R Rix