

DELEGATED

AGENDA NO

REPORT TO PLANNING COMMITTEE

DATE 2nd AUGUST 2006

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

06/0538/OUT

LAND AT BOATHOUSE LANE, STOCKTON-ON-TEES

**OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AND ASSOCIATED MEANS OF
ACCESS.**

Expiry Date: 12th September 2006

SUMMARY

This application seeks Outline Planning permission for residential development of part of the greater Boathouse Lane area. The application is in outline with all matters reserved except for means of access.

The proposal is to redevelop the 3-hectare site and establish the principle of residential development. The application is supported by a Masterplan to set out the design principles to be adopted in formulating the reserved matters, and includes an illustrative site layout showing provision of 202 dwelling units. Also supporting the application is a Transport Assessment, Noise Assessment, Planning Statement, Flood Risk Assessment, Remediation Statement, Ecological and Archaeological Evaluation.

The site occupies an important riverside location and forms part of a larger site known as Boathouse Lane. Given the important riverside gateway location, the Council has prepared a planning and design brief to guide future development on the site and surrounding area, which was formally adopted as a Supplementary Planning Document (SPD) on 23rd June 2006. Importantly the brief seeks to deliver a high quality and commercially successful mixed use development including residential development for the area through an established masterplan and agreed design principles.

The key objectives of the document are:

- To ensure the appropriate, comprehensive redevelopment of a key River Tees corridor site within the wider context of the Stockton Middlesbrough Initiative;
- To create a Gateway into the town centre, including a regionally - significant landmark building;
- To create a diverse, attractive and exciting place to live work and visit;
- To ensure high quality urban design, which maximises the potential use of the water frontage location;
- To protect and enhance the natural and historic environment;
- To improve linkages with surrounding land uses.

The proposal is considered to be broadly in line with the above mentioned key objectives and general planning policies set out in the Development Plan and is recommended for approval with conditions.

RECOMMENDATION

RECOMMENDED that the application 06/0538/OUT be APPROVED subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below or such other Heads of Terms as may be deemed necessary by the Head of Planning and the conditions as set out below.

In the event of there still being outstanding matters with the legal agreement by 12th September 2006 that the application be refused.

SECTION 106 AGREEMENT

Heads of Terms

School Places

1. 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 St. Cuthberts, Bowesfield and Oxbridge lane Primary Schools 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.

- 2. That prior to commencement of Development of the site in accordance with the permission a commuted sum of fifty thousand pounds (£50,000.00) will be paid by the Owner to the Council for the provision of play equipment.***
- 3. That prior to commencement of development the owner shall enter into a Section 278 Agreement for the construction of the second access from the Development***
- 4. The Owner shall pay to the Council a commuted lump sum by way of a contribution towards improvements to land adjacent South Stockton Link Road.***
- 5. The owner shall pay to the Council a commuted lump sum by way of a contribution towards improvements to the Boathouse Lane.***

The commuted lump sums referred to above shall be as agreed by the Head of Planning.

Conditions:

- 01. The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.
Drawing Number(s): - PL-02 RevD,
Reason: To define the consent.**
- 02. The development shall be implemented in general conformity with the approved "Masterplan" document submitted with the planning application unless otherwise agreed in writing by the Local Planning Authority. Nothing in this consent shall be construed as authorising the illustrative details submitted with the application other than the means of access for which approval was sought.
Reason: To ensure that the detailed proposals submitted are in accordance with the approved Design Guidance document and to enable the Local Planning Authority to satisfactorily control the development.**
- 03. The total amount of residential units as authorised by this permission shall not following the issue of the permission hereby granted exceed 202 dwellings.
Reason : To ensure a satisfactory form of development.**
- 04. Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason : By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.**
- 05. Approval of details of the siting, design and external appearance of the buildings and the landscaping of the site, shall be in accordance with the details of the scheme to be submitted to and approved by the Local Planning Authority before the development commences.
Reason : To reserve the rights of the Local Planning Authority with regard to these matters.**
- 06. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.
Reason : By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.**
- 07. 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 and siting 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.**
- E) The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed under part C) above**
- Reason: To enable the Local Planning Authority to satisfactorily control the development**

- 08. Details of all external finishing materials including roads and footpaths shall be agreed with the Local Planning Authority before the development is commenced. Reason: To reserve the rights of the Local Planning Authority with regard to these matters.**
- 09. Notwithstanding the provisions of classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority. Reason : To adequately control the level of development on the site to a degree by which the principle of the permission is based.**
- 10. All means of enclosure and street furniture associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure and street furniture as agreed shall be erected before the development hereby approved is occupied. Reason: In the interests of the visual amenities of the locality.**
- 11. No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-off limitation and drainage works has been submitted to and approved in writing by of the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details. Reason : To prevent the increased risk of flooding.**
- 12. No Development hereby approved shall commence on site until a Phase 1a+b desk study investigation to involve hazard identification and assessment has been carried out, submitted to and approved in writing by the Local Planning Authority. The study must identify industry and geologically based contaminants and include a conceptual model of the site. If it is likely that contamination is present a further Phase 2 site investigation scheme involving risk estimation shall be carried out, submitted to and approved in writing by the Local Planning Authority prior to any development hereby approved commences on Reason: To ensure the proper restoration of the site.**
- 13. No development hereby approved shall commence on site until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. No Development hereby approved shall commence until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance which will be carried out in accordance with the requirements of the report.**

Reason: To ensure the proper restoration of the site.

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

Reason : To prevent pollution of the water environment.

15. **Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.**

Reason : To prevent pollution of the water environment.

16. **5% 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.**

Reason : To achieve a satisfactory form of development.

17. **A detailed scheme for landscaping and tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is commenced. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.**

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

18. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part**

of the development or in accordance with a programme agreed with the Local Planning Authority.

Reason: In the interests of amenity and the maintenance of landscaping features on the site.

- 19. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.**

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

- 20. No development approved by this permission shall be commenced until a scheme for the improvement and/or extension of the existing sewerage system has been agreed submitted to, and approved in writing by, the Local Planning Authority. No buildings (or uses) hereby permitted shall be occupied (or commenced) until such improvements and/or extensions have been fully commissioned in accordance with the approved scheme.**

Reason : To prevent pollution of the water environment.

- 21. Prior to the commencement of any works on site, a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided in accordance with details previously submitted to and approved in writing by the LPA. The approved scheme shall be retained throughout the construction period.**

Reason :To prevent pollution of the water environment.

- 22. No development will take place until an appropriately detailed checking survey for bats has been undertaken at the site during the active season (March – September inclusive) to confirm the findings of the protected species survey.**

Reason : To ensure that appropriate safeguards are in place for bat species on the site.

- 23. Prior to the use commencing the building shall be insulated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to ensure that adequate protection is afforded against the transmission of noise between living accommodation and bedroom in adjacent flats**

Reason : In the interest of the occupiers of the premises.

- 24. Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.**

Reason : In the interests of the occupiers of the premises

- 25. No more than fifty dwellings hereby approved shall be occupied until the second access from the development has been constructed in accordance with the approved scheme and the written approval of the Local Planning Authority has been first obtained.**

Reason: To achieve a satisfactory form of development, in the interests of highway safety and the free flow of traffic.

- 26. Notwithstanding the submitted information, further details of the paving, lighting, and riverside fencing, footpath construction and materials relating to the Riverside Walkway shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.**
Reason: To enable the Local Planning Authority to control details of the proposed development.
- 27. Prior to any works commencing on site a scheme of finished floor levels for all buildings within the development shall be submitted to and approved in writing by the Local Planning Authority. The finished floor levels shall be no lower than 5.0 m AOD. and the buildings shall be built in accordance with these approved details.**
Reason: To minimise the risk of flooding.
- 28. The surviving hand crane in the yard of Tomlinson Hall and Co should be salvaged from the site and stored securely. It should be cleaned/conserved/painted and re-erected as an industrial monument/art feature within the new development. If this cannot be achieved then the apparatus should be offered to Stockton-on-Tees Museum Service for their consideration for accession to their permanent collection.**
Reason: The feature is of historic interest.
- 29. 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 and analysis 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.
- 30. Notwithstanding the submitted information, precise details of the riverside boat moorings and construction timetable shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.**
Reason: To enable the Local Planning Authority to control details of the proposed development.
- 31. Prior to the dwellings being occupied, facilities for secure and covered cycle parking shall be provided on the site in accordance with a scheme to be agreed in writing with the local planning authority.**
Reason: To ensure adequate on site cycle parking facilities are provided
- 32. The river edge treatment works shall be constructed and maintained in accordance with the approved details (namely Drawing No PL_06 Rev C, Drawing No W841 / 13, and the report titled River Edge Treatment, May 2006).**
Reason: To protect, restore or replace the natural features of importance within or adjoining the watercourse.

THE PROPOSAL

1. The site is a prominent site with frontage to the River Tees and forms part of a larger site known as Boathouse Lane, an area characterised by industrial and basic commercial buildings.
2. The site itself occupies an area of approximately 3 hectares and currently comprises a mix of industrial/warehouse buildings, which are predominantly run down and disused.

3. This application seeks Outline planning permission for the site with all matters reserved except for means of access for the demolition of all existing buildings and its redevelopment for residential purposes. A sister application for the site remediation and construction of new riverside pedestrian and cycleway has also been submitted (06/0537/FUL).

4. The application is accompanied by a Masterplan and proposes a total of up to 202 dwellings with a mix of units from starter apartments through to Penthouse Units and Family Housing (an illustrative site layout and urban design principles are attached at Appendix 2 and 3).

5. The proposal at this stage, does not set out a detailed design solution for the site as the application is in outline with all matters except means of access reserved for future consideration. However, in order to address the Local Planning Authority's concerns on the potential form and quality of the development, the Masterplan provides a planning and design framework for development on the site. It is not intended as a prescriptive document but sets out a number of urban design principles that future developers would be expected to meet.

6. A high quality of building design will be required and the accompanying masterplan illustrates how specific elements of the masterplan can be developed to a level of detail defining its scale, massing, access, architectural appearance and land use to the level normally expected of a detailed planning application. The illustrative drawings show a residential scheme comprising residential development along the river frontage in the order of 2.5 to 5 storeys. Due to the nature of this massing, the use would therefore be largely apartment type accommodation ranging from one to two bedroom units. The streetscape along Boathouse Lane is treated as a primary frontage due to its exposure to the South Stockton Link Road (SSLR). This would be predominantly 2.5 and 3 storey accommodation. The range of accommodation offers a whole variety of starter and family homes from 2 bedroom 3 person through the spectrum to some 5-bedroom 7 person dwellings.

7. Car parking is achieved in a number of different ways depending on the character of the area and density of the individual development. Vehicular access is taken from Bridge Road and a second access link to the SSLR will also be provided. Access to the site is also provided for pedestrians on the riverside walkway, which includes facilities for cyclists, joggers with linkages to the '8 bridge cycleway' and pedestrian routes to be well signed. The river frontage also provides opportunities for the mooring of small watercraft consistent with the desire to reclaim the waterfront and promote greater recreational use of the river.

8. The proposal also incorporates a mixture of public, semi-private and private spaces and overlooking will be carefully considered in the detailed design layout to ensure that the principles of Secured by Design can be achieved through the use of passive surveillance in many cases

9. The application is accompanied by a Highway Assessment in order to satisfy the Council that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network.

10. A noise impact assessment has been prepared to assess the existing noise environment, the capacity of the site to accommodate the proposed development, and the mitigation measures that will be required in a residential scheme.

CONSULTATIONS

11. Neighbouring properties have been consulted which are primarily businesses and they have been individually notified of the application. The application has also been advertised on site and in the local press.

12. The following Consultees were notified and their comments they made are below: _

Head of Transport and Environmental Policy

I note from the application that this is an outline application with 'means of access' being considered.

Nevertheless, the development will need to comply with the Design Guide and Specification (Residential & Industrial Estates Development) current edition. To that end the following matters are among those requiring attention: -

- The developer will need to enter into a Highways Act section 278 Agreement for the construction of the new access point comprising of a left in and left out onto the A135 (1825 Way) and a new roundabout on Boathouse Lane. The existing access onto Bridge Road is to remain.
- The developer will need to enter into a section 38 Agreement for any of the remaining roads and footpaths to be adopted as Highway.
- Engineering details and calculations relating to the stability of the riverbank supporting the proposed cycle way /footpath are required and a section 38 agreement is required for its adoption.
- The parking provision is indicated as 1.3 spaces per dwelling. Whilst being aware of the sustainability of the site, in terms of its proximity to Stockton Town Centre and Transport facilities, I have concerns regarding this provision particularly for the 4 & 5 bed roomed dwellings as well as the parking layout as indicated. Further consideration is therefore required.
- The lighting, materials and riverside fencing should comply with existing eight bridges cycle/footpath design.
- The proposed riverbank cycle way/footpath barrier should be of a type and dimension as specified in national guidance to satisfy safety criteria for cycleway adjacent to open water.
- A joint highway condition survey must be undertaken with 'Service Stockton' prior to the commencement of construction work on site.

The Council has no specific information regarding any flooding of this site. The applicant is advised to make local inquiries

Environmental Health Unit

No objection in principle subject to conditions covering contaminated land and noise control measures.

English Nature

Based on the information provided English Nature has no objection to the proposed development subject to a condition on checking survey for bats.

Tees Valley Regeneration

Tees Valley Regeneration is broadly supportive of the comprehensive regeneration of the Boathouse Lane area of Stockton. However, we feel that any redevelopment of the site should be delivered through an established masterplan and agreed design principles. We therefore believe that the application is premature and wish to make the following comments:

(1) Draft Boathouse Lane Planning and Design Brief and Southern Gateway & Riverside Sites Masterplan

We are aware that consultants have been appointed by Stockton Borough Council to carry out a masterplanning exercise to determine development opportunities on a number of sites in, and around, the southern end of the town centre, and adjacent waterfront sites, including Boathouse Lane. In addition, it is understood that the Boathouse Lane Planning and Design Brief is still out for consultation and not yet adopted.

Taking into consideration that these two important pieces of work will set the agenda and context for future development on the site and surrounding area have yet to be completed, any

development at this stage would be premature and would risk prejudicing the future development strategy.

It is our view that all developments coming forward in the Boathouse Lane area should be co-ordinated within the Southern Gateway and Riverside Sites Masterplan. Only by taking this approach will redevelopment of the area create a real sense of place on this strategic riverside site and gateway into Stockton. We would expect the masterplan to address important issues such as the mix of uses, linkages between development sites, linkages from the town centre through to the river and provision of open space and community facilities etc. We therefore believe that the developer would benefit from working with the Council as the masterplan develops in order to bring this site forward and maximise its development potential.

(2) Residential Phasing

North Shore is one of Tees Valley Regeneration's five strategic development sites in the Tees Valley. The regeneration of North Shore presents a unique opportunity for Stockton and the Tees Valley. It has the potential to transform Stockton acting as a driver for economic growth in the Tees Valley City Region. The vision for North Shore is to achieve comprehensive redevelopment of the site by delivering a high quality and commercially successful mixed-use development. AMEC and Urban Splash have been selected as preferred developers.

The masterplan contains provision for 480 residential units ranging from apartments to 3 and 4 bedroom family houses built out at an anticipated rate of 60 per annum from 2007. Providing such a high quality mix of housing as part of a wider mixed-use development is essential to achieve comprehensive redevelopment of North Shore.

Given the importance of housing in the North Shore scheme, Tees Valley Regeneration would wish to see how Stockton Borough Council would manage the large quantum of residential development that is coming forward in the Borough over a relatively short space of time. We would therefore expect that the Plan, Monitor, Manage approach as set out in PPG3 be addressed and that appropriate phasing be set out in the reserved matters.

(3) Design

As this is an outline application we do not wish to comment on the design specifically, but would concur with the views of CABI and would expect the developer to work with CABI as the design of the scheme progresses.

(4) Riverside Walkway

As proposals for the riverside pedestrian and cycleway are contained within a full application we do not feel that the plans provide sufficient detail on its treatment. Poor treatment of the riverside walkway at this important gateway location will set a poor precedent for future developments that have the potential to open up access to, and usage of, the River Tees. We therefore feel that the development would benefit from minimum standards being set for the riverside walkway including specifications for width, surface treatment, landscaping and lighting.

Northumbrian Water

Standard drainage conditions and public sewer located on site must be protected with an easment strip 3m either side or diverted at applicants cost.

The Environment Agency

The Agency has no objections, in principle, to the proposed development subject to imposition of the following planning conditions covering floor levels, storage of oils, drainage and settlement facility and riverside treatment.

CE Electric

Standard mains records shown.

Northern Gas Networks

No objection and standard mains record shown.

One North East

It is considered that this development proposal has potential implications for two of the Agency's strategic projects:

North Shore

North Shore is one of Tees Valley Regeneration's and the Agency's five strategic regeneration sites in Tees Valley. Amec and Urban Splash have been selected as preferred developers to deliver a mixed-use masterplan that has outline planning permission. This current planning application by Woodford Land involves the provision of 480 residential units of mixed type. The Agency is concerned that this development has the potential to undermine established regeneration objectives for North Shore.

Southern Gateway & Riverside Masterplan

A masterplan is currently being commissioned by Stockton BC (using Single Programme funding) to cover the southern riverside/town centre area of Stockton including the application site. In addition to the masterplan preparation, the Council's draft planning and design brief supplementary planning document for the Boat House Lane area, although not yet adopted, has undergone its consultation exercise and out of this exercise the Council will respond and make recommendations.

One NorthEast considers that, in this context, the proposal appears premature and potentially prejudicial to adjacent development sites and may set an unsatisfactory precedent for other similar piecemeal development within the Southern Gateway.

Other issues

The planning application relates to Phase I of the proposed redevelopment of the area described as Boathouse Lane. This application is accompanied by a Masterplan, the boundaries of which appear to correspond to those in Council's Draft Supplementary Planning Document mentioned above.

I understand that the applicants have not acquired all of the masterplan site and to date it appears that they intend only to develop Phase I.

This raises a particular concern that the development of this site, if developed independently, may result in essential infrastructure not being provided for the remainder of the site, e.g. to provide a second access point for site.

It is considered that development of individual sites, outside of the comprehensive masterplanning exercise, may frustrate future access requirements of adjoining sites.

I understand that the applicants have been requested to provide additional information regarding the following issues:

- affordable housing provision;
- need for a school during the development's progression (i.e. not necessarily in Phase I but maybe later);

- lack of open space within development. The submitted proposals do not indicate any open space provision and this assumes that other parts of development site will be required to accommodate this development's quota too;
- clarification of satisfactory measures for the physical retention of the riverbank.

The Agency would welcome the opportunity to comment further upon receipt of the additional information and prior to the Council reaching a decision. We would expect the Council to extend the expiry date for the receipt of such comments.

North East Assembly

This proposal for reuse of previously developed land within a major urban area is welcomed and conforms with RPG1 and the Submission Draft RSS. The Assembly would welcome the local authority ensuring that the concerns regarding affordable housing and secure cycle parking are alleviated and that the energy and SUDS issues are incorporated within this proposal.

Tees Archaeology

Recommend the following conditions covering Building Survey condition and Reclamation of Industrial Hand Crane.

12. Neighbours were notified and any comments received are below: -

England & Lyle

On behalf of adjacent landowner wish to make comment on illustrative elevations of the proposed development and specifically to the scale and riverside frontage.

In making these comments, it is noted that Woodford Land are seeking outline planning consent and that the Council will not be approving the detailed design, siting, external appearance or landscaping at this stage. In view of this fact, we would normally expect any plans showing siting, elevations etc. to be marked as illustrative, however this does not appear to be the case.

The elevations show a riverside frontage of between 2.5 (approx. 10 metres) to 5 stories (approx. 18 metres). The tallest of the buildings are comparable with the scale of the buildings on Teesdale although given the change in levels between the two banks of the river at this location, it is considered that a minimum of 6 stories is required to reflect the scale already set by the existing buildings. Buildings of this scale are commonplace on many other riverside developments in Newcastle, Durham, York, Leeds, Rotherham and Lincoln. We are of the opinion that this scale is necessary in achieving the city-scale advocated in the Stockton-Middlesbrough Initiative.

The streetscape illustrated in elevation 1 (Drawing No. PL.05) does not in our view achieve the type of dominant frontage considered desirable along riverside corridors and our clients are concerned that the scale illustrated would constitute a missed opportunity to meet the aspirations of the Stockton-Middlesbrough Initiative.

Arriva North East Ltd

The nature of our operations are such that buses are started up very early in the morning and we also have considerable activity going on until late at night. Inevitably our operations create noise, vibration, fumes and dust which could cause disturbance or nuisance to residents in adjoining properties. We do not therefore believe it is sensible for this application to be granted. If, however, your Council decides to go ahead anyway we would suggest the Council insists on the developer providing appropriate acoustic and visual screening to minimize the disturbance to residents from our operations.

PLANNING POLICY CONSIDERATION

13. 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 the Plan, unless material planning considerations indicate otherwise.

14. The relevant Development Plans in this case are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).

15. In respect of housing, the Tees Valley Structure Plan reflects national and regional guidance. The strategy adopted in the Tees Valley Structure Plan is one of sustainable urban growth with the majority of new development taking place on previously developed land within urban areas or along public transport corridors on the edge of the main built-up areas. The Structure Plan also supports the need for increased residential densities and the provision of affordable housing as appropriate.

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

Policy GP1

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

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

Policy HO3

Within the limits of development, residential development may be permitted provided that:

- (i) The land is not specifically allocated for another use; and
- (ii) The land is not underneath electricity lines; and
- (iii) It does not result in the loss of a site which is used for recreational purposes; and
- (iv) It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- (v) It does not result in an unacceptable loss of amenity to adjacent land users; and
- (vi) Satisfactory arrangements can be made for access and parking.

Policy HO4

In housing developments exceeding 2 hectares (5 acres), affordable housing shall be provided to an extent agreed between the council and the developer as appropriate to help meet any local need. There shall be arrangements to ensure that the benefits will be passed on to subsequent, as well as initial occupiers.

Policy HO11

New residential development should be designed and laid out to:

- (i) Provide a high quality of built environment which is in keeping with its surroundings;
- (ii) Incorporate open space for both formal and informal use;
- (iii) Ensure that residents of the new dwellings would have a satisfactory degree of privacy and amenity;
- (iv) Avoid any unacceptable effect on the privacy and amenity of the occupiers of nearby properties;
- (v) Pay due regard to existing features and ground levels on the site;
- (vi) Provide adequate access, parking and servicing;
- (vii) Subject to the above factors, to incorporate features to assist in crime prevention.

Policy EN17

Within the Urban Development Area, land is allocated at the following sites as appropriate for a range of uses including industry, commerce, housing, sport, recreation, tourism and education:
c) Boathouse Lane, Stockton.

The Tees Valley Structure Plan does not contain any policy applicable directly to the application site. In general terms however the Structure plan is based on a strategy to ensure that most new development takes place within or on the edge of the main urban areas together with regeneration of rundown, urban areas.

Planning Policy Guidance Note 3: "Housing" advises that most additional new housing should be on previously developed land within urban areas to minimise the amount of greenfield land developed. PPG3 states: 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 public transport accessibility such as city, town, district and local centres or around major nodes along good quality public transport corridors

Planning Policy Guidance Note 13: Transport seeks to integrate planning and transport by reducing the reliance on the motor car, encouraging the use of more sustainable transport choices, reduce the need to travel, and promote accessibility to jobs, shopping, leisure facilities and services by public transport, cycling and walking.

MATERIAL PLANNING CONSIDERATIONS

17. The main considerations of this application relate to the impact of the proposed development on the locality in terms of the acceptability of the proposed development on this site, the relationship and impact on future development, vehicular access and highway safety and whether it satisfies the requirements of the Local Plan Policies and Government Guidance.

Acceptability of the proposed development and relationship and impact on future development

18. National Planning Policy guidance seeks to encourage the efficient re-use of previously developed land within existing urban areas in addition to reducing the need to travel and reinforcing the local economy and community.

19. Policy EN17 of the adopted Local plan highlights part of the Boathouse Lane area as derelict and underused. The adopted policy also encourages the reclamation and re-use of the site and recognises the sites potential for improving the image of the Borough.

20. The application site is previously developed land and within a major urban area and as previously stated is the subject of a SPD, which has been prepared by the Council to guide future development on the Boathouse Lane area, which includes the application site. The key objectives of the document are:

- To ensure the appropriate, comprehensive redevelopment of a key River Tees corridor site within the wider context of the Stockton Middlesbrough Initiative;
- To create a Gateway into the town centre, including a regionally - significant landmark building;
- To create a diverse, attractive and exciting place to live work and visit;

- To ensure high quality urban design, which maximises the potential use of the water frontage location;
- To protect and enhance the natural and historic environment;
- To improve linkages with surrounding land uses.

21. The SPD is a material consideration in the determination of any planning application(s) received by the Council and sets out the Council's aspirations for the area. The document also seeks to clarify planning parameters within which developers can explore options. Consideration must therefore be given as to whether development of the application site in the manner proposed would sufficiently harm the proper planning and comprehensive redevelopment of the area. The proposal is considered to be broadly in line with the above mentioned key objectives and general planning policies set out in the Development Plan. The provision of a second access will contribute towards the achievement of the future comprehensive redevelopment of the wider Boathouse Lane area. It is considered that residential development would be consistent with the SPD and subject to careful layout and design in latter stages, is considered acceptable and accords with Local Plan policies GP1 and HO3

Site Characteristics

22. The site is located within the development limits. Policy HO3 of the local plan indicates that residential development within the limits of development is acceptable provided it meets a number of criteria.

23. The indicative residential layout incorporates a mix of houses and apartments and the accompanying masterplan design code identifies a clear hierarchy of building types and palette of materials which offer an opportunity to provide a satisfactory form of development reflecting the characteristics and importance of a key riverside site.

24. The site is approximately 3 hectares and with the proposed 202 dwellings equates to a density of approximately 67 dwellings per hectare. PPG3: Housing advocates development at 30-50 dwellings per hectare, or higher in sustainable locations. The application site is considered a sustainable location as it lies within 500m from Stockton Town Centre and, is on various bus routes and within walking distance of Thornaby railway station. The proposal involves the re-use of existing brownfield land for housing to provide a mix of dwellings including social housing and fully accords with national policy, which encourages the reuse of previously, developed land.

25. The indicative layout has been designed to ensure that adequate distances are met and designed to negate any overlooking and it is considered that the site could satisfactorily accommodate a residential scheme of the type and nature proposed.

26. Although the proposal incorporates public open space, a condition has been attached to ensure the optimum provision and siting is achieved taking account of improved connectivity of the wider site to the river and linkages with wider landscape treatment and linkages with future development proposals.

27. The proposed development also includes the provision of an element of social/affordable housing in accordance with Policy HO4.

28. The SPD proposes a linear park for the boundary with the SSLR, which would also perform as an environmental buffer providing a green wedge. A contribution is being sought for the improvement of this area through the Section 106 Agreement alongside a contribution towards the provision of fixed play equipment.

Means of Access and Traffic Issues

29. The application is accompanied by a Highway Assessment in order to satisfy the Council that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network. Access is indicated via Bridge Road with a secondary access via the SSLR. The provision of a second access will contribute towards the achievement of the future comprehensive redevelopment of the wider Boathouse Lane area. The access arrangements have been examined by HITEP and is satisfied with the proposal. A contribution is being sought for improvements to the existing highway serving the site through the Section 106.

30. The level and detailed parking arrangements will be considered at the reserved matters stage taking account of the proximity of the site to the town centre and access to nearby public transport facilities and Local Planning Authority standards. It is considered that the site can satisfactorily accommodate the level of development proposed.

31. Access to the site is also provided for pedestrians on the riverside walkway with conditions attached to control its treatment.

Educational Requirements

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

Noise

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

34. The Environmental Health Manager has considered the proposal and planning conditions to provide sound attenuation to the properties likely to be affected have been attached. Given the controls available, it is considered that the proposal does not conflict with STLP policies GP1 and HO3 in this respect.

Contamination

35. These matters are addressed in the Site Investigation Report. Planning conditions are attached requiring remediation works and to implement any engineering measures to facilitate development of the site based upon those findings. It should be noted that a sister application for the site remediation and construction of new riverside pedestrian and cycleway has also been submitted (06/0537/FUL). The Environmental Health Manager 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.

CONCLUSION

36. It is considered that the principle of residential development is acceptable in this location. Overall the nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the residential proposal. The proposed access satisfies the requirements of HITEP and the proposal is in accordance with relevant planning policy and guidance and is therefore recommended for approval with conditions.

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