

**DELEGATED**

**AGENDA NO.**

**REPORT TO PLANNING COMMITTEE**

**13 September 2006**

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

**06/1956/OUT**

**Eastern Gateway Site, Riverside/The Square/Church Road**

**4 Terrace Houses (111-117) Church Road**

**Outline Application for residential, commercial, leisure and ancillary retail development with car parking on the Eastern Gateway Site and multi-storey car park**

**Expiry 19th September 2006**

### **SUMMARY**

Following the original permission for the North Shore development and accompanying Master Plan granted in 2002, Tees Valley Regeneration (TVR) assumed the lead in securing its implementation. Subsequently, a revised master Plan was approved in 2005 to reflect changed aspirations. This new "Benoy" Master Plan, prepared for TVR, inter alia, extended the North Shore area to include the "Eastern Gateway site" located within the Town centre and adjacent to Baptist Tabernacle. However, the existing planning permission did not include this area (or another smaller site adjacent to the core area). In order that TVR have a comprehensive planning approval for the whole of the extended North Shore site, outline planning permission is being sought in this application for both sites for a variety of uses. The Eastern Gateway site will include uses previously proposed in the original core site particularly a hotel as well as residential apartments, office, commercial and retail space. However, the overall quantity of development within North Shore has not been altered. The residual core site will be developed as a multi-storey car park.

Publicity to these proposals has been undertaken and the responses have been generally supportive with no outright objections received. The only issues raised by neighbours are that it should not interfere with the enjoyment and use of the Church (Baptist Tabernacle) or that it will not prejudice other regeneration initiatives in the area because of traffic capacity issues.

A number of consultation responses are still outstanding, particularly from the Highways Agency who have requested more information. Nevertheless, given that the quantum of development is not being altered it is anticipated that any residual concerns can be controlled through appropriate conditions attached to the planning approval.

Approval for these two residual sites will allow for effective and comprehensive redevelopment and regeneration of the North Shore area.

### **RECOMMENDATIONS**

***It is recommended that subject to views of the outstanding consultees, the application be approved subject to conditions covering the following matters:***

- **Development carried out In accordance with the approved plans;**
- **Future approval for the siting, design, means of access, external appearance and landscaping of the site**
- **Method for dealing with any contamination on the site**
- **Noise controls**
- **finished floor levels,**
- **surface water drainage,**
- **settlement facility,**
- **oil interceptor,**
- **roof drainage,**
- **bunded storage,**
- **foul and contaminated drainage**
- **Any other relevant matters including meeting highway concerns**

**The following development plan policies were relevant to the permission hereby granted:**

**Regional Planning Guidance RPG 1**

**Tees Valley Structure Plan policies H3, H4, SUS1, SUS2, STRAT1, EMP2, ENV21, ENV22, T5, T24, T25, T26**

**Stockton on Tees Local Plan policies: GP1, EN17, SH8,**

**Alteration No 1 policy S13**

## **BACKGROUND**

1. Two linked applications submitted by English Partnerships relating to the reclamation and future development of the North Bank area of the Tees opposite the Teesdale area and located between the Princess Diana Bridge and the David Lloyd Tennis Centre were approved in June 2002. The two applications were:

Application 01/1790/P – outline application for mixed use development comprising of research park/offices (B1), café/pub/restaurant, residential, car showroom and associated roads, footpaths, cycleways, landscaping and riverside promenade

Application 01/1760/P – reclamation and infrastructure works 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

2. The applications were supported by an Environmental Statement, a Transport Assessment and Transport Strategy together with an indicative Masterplan and Design Guide.
3. Lead on the development moved to Tees Valley Regeneration in association with English Partnerships (the primary land owner and original applicant), One North East and Stockton on Tees Borough Council. A revised Master Plan was produced following an extensive re-appraisal of the original plan and agreed by Committee in February 2005. The new plan changed the focus of the plan from mainly office B1 development to increase the mix of development with more housing and seeking to make better use of the waterfront location and links to the Town Centre. The name of the site also changed to “North Shore” to reflect its

name in the 19<sup>th</sup> Century. The new North Shore Master Plan also extended the area to include land in the town centre on Church Road and know as the Eastern Gateway site.

4. An application for planning permission under Section 73 of the Town & Country Planning Act 1990, to vary the original outline application (01/1790/P) to allow an additional three years for the submission of detailed plans was granted on 22 August 2006. The period allowed for the submission of reserved matters relating to that outline was thereby extended to August 2008.

## THE SITES

5. The current application proposes development on two remaining residual sites included on the new North Shore Masterplan, but not forming part of any previous submission and subsequent approvals. The application is in outline with all matters of detail reserved for future approval
6. The application proposes development on two separate sites:
  - Site 1 **Eastern Gateway Site**: This site (approximately 0.93 hectares – 2.3 acres) and is within Stockton Town Centre. It is bound to the north by Church Road, to the west by The Square the south by Bishop Street and beyond to that to the Road A1035. The former Kwik Fit garage, warehousing and a Council owned car park, currently occupy the site. The AAC dairy buildings have now been demolished and the Baptist Tabernacle sits immediately adjacent to the site.
  - Site 2 **Residual Land on the Core Site**: This site (approximately 1,377m<sup>2</sup> – 14822sqft) is located to the south of Church Road and to the east of the disused railway line which runs diagonally north south through Stockton Town Centre on the site now known as the Core Site in the North Shore Masterplan. This site accommodates four residential properties and is surrounded by various piecemeal or redundant in industrial uses.

## THE PROPOSAL

7. The application proposes:

Site 1 a mix of

- a. Residential: 30 apartments (C3);
- b. 100 bed (maximum) Hotel 3,375m<sup>2</sup> (C1)
- c. Ancillary leisure and retail 2030m<sup>2</sup> (A1/A3/A4/D2)
- d. Office/commercial space 7,440m<sup>2</sup> (B1)
- e. Car parking 280 Spaces

Site 2

Multi Storey Car park (capacity unspecified)

8. Whilst this application proposes additional development it is stated that the quantity of development as set out in the Benoy Masterplan 2004 has not been altered. To this end some of the development originally proposed to be located on the core site of North shore (primarily the 100 bed hotel) is now proposed to be relocated onto the Eastern Gateway site. The applicant has indicated where any duplication in proposed development occurs between this application and the existing permission; it will seek to have them revoked.

9. This change also reflects the Council's Supplementary Planning Guidance prepared for the Eastern Gateway site prepared in 2004 which sought to promote a comprehensive redevelopment of this key town centre site to create a gateway from the east into the town centre incorporating good design to reflect its location in relation to the neighbouring conservation area and river Tees frontage.

### **Planning Supporting Statement**

10. The applicant has submitted a Supporting Planning Statement to accompany the application prepared by planning consultants. As this application seeks permission for what is essentially a relocation of existing permitted uses from the remainder of North Shore, an update of the environmental information submitted is not required. However, it should be noted that this environmental information was updated in respect of the recent permission granted to extend the period of validity for the original 2002 outline approval.
11. The statement describes the background to the planning submission, the proposed development, the planning policy implications, and makes an assessment of the planning issues. It concludes it has been clearly demonstrated that securing planning permission for the proposed development of these two sites is vital in completing the overall framework for the North shore area. Also that the development fully complies with establish planning policy, that it will have no adverse environmental impact and that there is a strong social and regenerative need for the development of what is an important strategic site in the region.

### **CONSULTATIONS**

12. Local residents and occupiers have been individually notified of the application. The application has also been advertised on site and in the local press.
13. Two representations have been received from Blackett, Hart and Pratt on behalf of Harkers Engineering and the Baptist Tabernacle Church.
14. The Baptist Tabernacle Church supports the principle of the Eastern Gateway Site subject to the development not interfering with the enjoyment and use of the Church. Further comments made are set out below:

#### **Planning Design and Brief**

Guidance is included in the submission which states that the Baptist Tabernacle should be retained and incorporated into the new development. The Tabernacle was designed as a building of significance on the Stockton side of the river. It would be disappointing if the building were to be overshadowed by buildings of inferior design. The front of the building was designed to overlook Bishop Street and the river.

#### **Car Parking:**

It is considered that the loss of the adjacent car park without satisfactory replacement car parking will be detrimental to the use of the Tabernacle building. Car parking presents difficulties in this area of Stockton, as evidenced by the pressure on existing car parks resulting from the recent closure of the police parking areas during the redevelopment of Stockton police station. The car park adjacent to the Baptist Tabernacle is usually filled on a Sunday by people attending the Baptist Tabernacle. The next nearest public car parks are also used by the users of Splash.

#### **Access to the Tabernacle Car Park:**

We would emphasize our need for access to our own small car park from Bishop Street. This is used for access to the auditorium to load and unload heavy equipment as well as 24 hour parking. Funeral cars and wedding cars may also use the car park.

**Adjacent Buildings:**

The Baptist Tabernacle is used by members of the community, including young children and teenagers throughout the week. We would be concerned if nightclub or public house were to be located adjacent to our building.

**Enjoyment of our building:**

We are particularly concerned that any new buildings should not cause light problems in the halls adjacent to the Council's Car Park. These rooms are used throughout the week.

15. Planning consultants on behalf of Harkers Engineering which occupies premises nearby has written in to confirm that it is strongly supportive of the planning application and considers the range and mix of uses are generally appropriate for the area. Its only concern is that it would be like to be re-assured that this development will not prejudice its own intentions for redevelopment particularly in respect of the potential impact on the strategic highway network.
16. A number of statutory persons and bodies have been consulted on the proposal. Responses are awaited from the following consultees:
  - Landscape Officer
  - Engineering and Transportation
  - Landscape Officer
  - Leisure Services
  - Thornaby Town Council
  - Joint Public Transport Group
  - Care for your Area
  - Stockton Town Centre Manager
  - Design and Building Property Services
17. Other comments received are as follows:

Development Plans Manager

18. The application site is divided into two parts, the larger of which in Outline is consistent with the Mixed Use site Allocation in Policy S13 of the Adopted Alteration Number One in terms of the proposed land uses. The larger site is also located wholly within the Town Centre boundary, and therefore a wide range of land uses would be considered. The smaller part of the site is not specifically zoned in the Adopted Local Plan or the Alteration. Given the above, and as all matters are reserved, no objection is made.

Highways Agency

19. The applicants have provided the Highways Agency with a comparison of the development land uses and content presented in the original Atkins North Bank development Transport Statement (2001) with that in the Arup Stockton North Shore Transport Statement (2005) and the Benoy Masterplan re-appraisal in order to negate the need for a Transport Assessment. Given the sensitivity of the

traffic situation at Portrack roundabout, proposals for other developments that will have a material traffic impact on the junction and the need for extensive improvements at the junction, the Highways Agency have requested a supplementary traffic analysis.

#### CPRE

20. Welcomes this development as an attractive extension to the town centre facility, and hope that the design brief would be to incorporate quality materials and design which is in keeping with the heritage character of the town.

#### Environmental Health Unit

21. Has no objection in principle to the development, but recommends conditions to protect the residents of new properties from traffic noise and to address land contamination.

#### Tees Archaeology

22. Raises no objection to the proposal and comments that there are no known sites of archaeological interest in the areas indicated. The Eastern Gateway site was formerly occupied with terraced housing prior to its clearance and development as a dairy in the mid 20th century. The terraced houses at 111-117 Church Road were built in the second half of the 20th century and are not of interest.

#### Chief Fire Officer

23. Comments that the access for fire appliances and water supplies are satisfactory.

#### Northumbrian Water

24. Makes comments in respect of the need to protect a water main in the area.

#### Environment Agency

25. Raises no objection to the proposal subject to conditions in respect of finished floor levels, surface water drainage, contaminated land, settlement facility, oil interceptor, roof drainage, bunded storage, foul and contaminated drainage. Comments are made in respect of landfill gas, but a specific condition is not requested.

#### Northern Gasworks

26. Raises no objections and encloses mains records for area.

#### C E Electric UK

27. Raises no objections and encloses mains records for the area.

### **PLANNING POLICY CONSIDERATIONS**

#### National Planning Policy

28. National Planning policies are set out in Planning Policy Guidance Notes (PPG) and the newer Planning Policy Statements (PPS).
29. Relevant to this application are:

PPS 1 “Delivering Sustainable Development”  
 PPG 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)  
 Draft PPS 3 “Housing”  
 PPG 4: Industrial, Commercial Development and Small Firms  
 PPS6 “Planning for Town Centres”  
 PPG 13 “Transport” (promotes more sustainable transport choices and greater accessibility by all forms of transport with housing located principally within the urban areas)  
 PPG 24 “Planning and Noise”  
 PPG 25 “Development and Flood Risk”

30. Regard also has to be given to the Regional Planning Guidance (RPG1) and the emerging Regional Spatial Strategy. Policies in RPG1 set out the aims and objectives for the regional economy, the need for a sequential approach to development; sub-regional guidance to include, inter alia, targets for the re-use of previously developed land and buildings; and a managed release of housing land for development.
31. In addition to the regional guidance, 'The Northern Way' published by the Office of the Deputy Prime Minister and northern Regional Development Agencies provides broad-brush principles for the regeneration of the Northern region.
32. Section 54a of the Town and Country Planning Act 1990 states that all planning applications have to be determined in accordance with the Development Plan(s) for the area unless material considerations indicate otherwise. The development plan for the purposes of the application comprises the Tees Valley Structure Plan 2004 and the Stockton Borough Local Plan 1997.

### **Tees Valley Structure Plan**

33. The Tees Valley Structure Plan policies that particularly need to be considered include:
  - 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.

34. Other relevant policies include H3 (housing on derelict land), H4 (increased residential densities on appropriate sites), T5, T24, T25, T26 (all relating to transport issues)

#### Stockton on Tees Local Plan

35. 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.
36. Policy SH8 encourages the redevelopment of the eastern gateway area for retail, offices, housing, sport and recreation or car parking provided that the buildings are designed to respect the character of the area and to present an attractive appearance towards the River Tees.
37. Policy S13 of Alteration No 1 also encourages major retail and mixed use development on this same site.
38. 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
39. In May 2004 the Stockton Town Centre Eastern Gateway Planning and Design brief Supplementary Planning Guidance was prepared. This sought to promote appropriate comprehensive redevelopment of this key town centre site.

#### **MATERIAL PLANNING CONSIDERATIONS**

40. In light of the consultation responses and other comments received, current and emerging planning policy and the planning history of the site, a number of planning issues are considered material to the consideration of this application.

#### Planning Policy

41. The development proposed for these two sites clearly accords with planning policy across the spectrum – from national policy down the Local Plan Alteration No 1, which identifies the eastern gateway site for comprehensive redevelopment for the range of uses now proposed. Accordingly, in principle the proposals are acceptable.

#### Need

42. The applicant argues that the “quantum of development as set out in the Benoy Masterplan has not been altered” and that it is vital that planning permission is granted for completion of the overall framework of the North Shore area and to allow for its effective and comprehensive redevelopment. It is accepted and supported that there is a strong social and regenerative need for these two areas to be included to round off proposals being developed as part of the Masterplan



and allow its full implementation. Without the inclusion of these two areas, for which there is across the board support, the Masterplan cannot be fully realised and in particular the redevelopment of the eastern gateway site would be delayed.

#### Highway issues

43. This is at present an unresolved issue given that the formal response of the Highways Agency is still awaited. Its concern is the sensitivity of the traffic situation at Portrack roundabout, arising from proposals for other developments in the area as well as North Shore, which will have a material traffic impact on the junction. It is already known that extensive improvements to that junction are needed to accommodate the approved North shore development and other schemes including the development of the Corus site. In these circumstances it has asked for a supplementary traffic analysis. The results of this analysis are not yet known but are anticipated shortly.
44. Whilst the Head of Integrated Transport and Environmental Policy has not yet responded and given that the views of the Highways Agency are still awaited, any approval of the current proposals should be subject to the traffic concerns being satisfactorily resolved. Nevertheless as the quantity of development is not intended to alter with the addition of these two sites, it is unlikely that a fundamental highway objection will be made to indicate that approval should not be granted. Should the Agency raise any significant issue it is likely to be a matter that could be controlled by additional conditions and therefore the planning decision on the application should be subject to their views.

#### Impact on neighbours

45. The Baptist Tabernacle whilst supporting the principle of the development, have concerns about how ultimately the site would be developed in particular that there should be replacement car parking, that there should be no public house or nightclub on the site and that issues of overlooking, access and loss of light are addressed at the detailed design stage. Whilst no details of how the site will be laid out have been submitted, it is fundamental to the North Shore scheme that any development on this site should be of high quality. Furthermore the Eastern Gateway SPG specifically recognises the need for good design on the site and that the Tabernacle building needs to be retained and incorporated within the development. The detailed submission will be required to take account of these requirements and the Church will have the opportunity to comment again.
46. The concerns of Harkers Engineering relate to the possibility a future redevelopment of its site and that approval of the present proposal may prejudice these intentions. It is not considered that this will be the case.

#### Residual matters.

47. Residual concerns such as contamination, floor levels, drainage etc can all be controlled through appropriate planning conditions.

### **CONCLUSIONS**

48. Significant public investment in the North Shore development has already occurred in preparing the core site for development including the provision of the road system and other infrastructure in accordance with the detailed planning application approved at the same time as the outline scheme for the overall development. The present application completes and rounds off development

and allows TVR and its preferred developers (Amec and Urban Splash) to have a comprehensive planning approval for the whole of the extended North Shore site. This will facilitate the comprehensive redevelopment of the North Shore area which is a key regeneration site.

49. The proposed uses fully accord with planning policy and issues in respect of details will be dealt with at the reserved matter stage i.e. details of the siting and design of the new buildings, the access arrangements and provision of landscaping. The concerns over highways, and other issues such as contamination can be secured through conditions, though to reflect the fact that the views of the Highway Agency is still awaited any approval should also be subject to the highway issue being satisfactorily resolved.
50. The application is fully supported as otherwise this key regeneration scheme in the heart of Stockton could be severely compromised.

Director of Development and Neighbourhood Services

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Financial Implications: None

Environmental Implications: See report

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

Community Safety implications: None

Background Papers: Application files 01/1760/P, 01/1790/P, 05/1544/VARY and 06/1956/OUT

Ward(s) and Ward Councillors:

Town Centre Ward

Councillor D Coleman  
Councillor P Kirton