

DELEGATED

AGENDA NO
PLANNING COMMITTEE

13 September 2006

REPORT OF CORPORATE DIRECTOR OF
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

06/2543/FUL

**Existing track East Blakeston Lane and Golf Course, Blakeston Lane, Norton
Revised application for proposed vehicular access to course from Blakeston Lane, a 55 no.
space car park, a modular storage building & associated landscaping
Expiry Date 3rd October 2006**

SUMMARY

Planning permission is sought for the creation of a new access, car park and storage building to Norton Golf Course. The site is located to the east of Blakeston Lane, within an area of agricultural land.

15 letters of objection have been received in respect to the scheme with main objections based on the actual development of the site in the countryside, recreation of existing provision, the impact on the highway network and existing users of the highway network in general.

The proposed development is considered to accord with Policy EN13 of the Stockton on Tees Local Plan as it relates to a sport and leisure facility within the countryside. The layout of the site and design and scale of the building should be acceptable subject to adequate detailing and landscaping being achieved.

Additional consultation has been undertaken with the British Horse Society, the Ramblers association and Sport England and these consultations will not expire until the 21st September 2006.

Several issues including the provision of visibility splays, minor amendment to the layout of the site and the impact on the bridleway remain to be considered subject to the submission of additional details.

RECOMMENDATION

That the determination of planning application 06/2543/FUL be delegated to the Head of Planning and subject to the resolution of the remaining issues the application be approved subject to a Section 106 agreement and the following conditions.

In the event that the outstanding matters are not resolved by 3rd October 2006, the application be refused

- 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): - To be confirmed
Reason: To define the consent.***
- 02. *Notwithstanding any description of the materials in the application, no above ground construction of the building hereby approved shall be commenced until precise details of the materials to be used in the construction of the external walls and roof***

of the building have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development.

03. *Notwithstanding the details hereby approved the following details shall be submitted to and approved in writing with the Local Planning Authority prior to commencement on site and shall be used throughout the scheme as detailed within the approved scheme;*

- the style and colour of doors and windows used for the scheme, and

- the materials used for the surfacing of the car park

Reason: To prevent the development having a detrimental impact on the site and its immediate surroundings within the countryside.

04. *Full details of the proposed means of disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and shall be provided in accordance with the approved details before the development is brought into use.*

Reason: To achieve a satisfactory form of development.

05. *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 site.*

Reason: To ensure the proper restoration of the site.

06. *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.

07. *Notwithstanding details hereby submitted the roof of the building hereby approved shall not be erected on site until the precise design details, pitch and overall height from ground level has been agreed in writing with the Local Planning Authority.*

Reason: In the interests of visual amenity.

08. *No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for hard and soft landscaping and its maintenance, details of ground modelling, protection of any existing trees and drainage runs. The approved scheme shall be carried out during the first planting and seeding season following the substantial completion of the development, and any trees or plants which within a period of five years from the date of planting, die are removed or become seriously damaged, shall be replaced with others of a similar size and species in the next planting season 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.

09. ***The development hereby approved shall not be brought into use until the existing access off Blakeston Lane has been closed and redeveloped in accordance with a scheme of works to be agreed in writing with the Local Planning Authority.
Reason: In order to adequately control the development.***
10. ***Notwithstanding details hereby approved there shall be no lighting of the site other than by that within a scheme of lighting to be submitted to and approved in writing by the Local Planning Authority.
Reason: To prevent light pollution of the rural environment.***

HEADS OF TERMS

A commuted lump sum of up to £15,000 is required for the provision of a highways maintenance scheme and implementation of appropriate signage and associated road markings.

THE PROPOSAL

1. Planning permission is sought for the provision of a new access, car park and ancillary storage building at Norton Golf Course. These elements are intended to act as a replacement of the existing provision located off Junction Road adjacent to Harpers Garden Centre.
2. The proposed new access is off Blakeston Lane approximately 600m north of the level crossing and adjacent to an existing access to White House Farm. The new access is intended to connect into the access track leading past White House Farm to the site of the proposed car park proposed by this application. This will allow the existing access of White House Farm onto Blakeston Lane to be blocked up.
3. A section of new access track leads to the proposed 55 space car park, which incorporates 3 disabled bays.
4. The storage building lies to the east of the car park and is shown as being 12m x 10m in plan, having an eaves level of 2.85m and an overall ridge level of 4m. The building is laid out internally having 3 separate wc's, a small kitchen and an office with the majority of the internal space being shown as a mess room / workshop.
5. The layout plans show a landscape buffer zone to the north and east of the car park and building.

CONSULTATIONS

The following Consultations were notified and any comments they made are below: _

Councillors

Cllr Cains

Has concerns over the proposed treatment of the existing access. Blakeston Lane is a haven for fly tipping and the proposal to simply fence up the old access, leaving a lay-by, may result in fly tipping in this location and it would be preferred if this area could be grassed in order to remove any temptation.

Head of Integrated Transport and Environmental Policy

Visibility splays of 4.5 x 90metres should be achievable in both directions. Splays of 2.4 x 120metres should be achievable to the right from the access. A visibility splay of 2.4 x 100metres (approx) would be acceptable to the left of the access providing the developer funds the implementation of the appropriate warning sign and road marking. Existing vegetation to be removed in order to achieve requisite splays, and replaced by new hedge to be planted behind the splay.

SBC Traffic Management have indicated that the access road from Blakeston Lane to the golf club car park is acceptable, providing the widening and areas kept clear for improved visibility are provided as shown.

A commuted lump sum of 15,000 pounds is required in order for the developer to fund a highways maintenance scheme and implementation of appropriate signage and markings.

Provision of 50 car parking spaces is suggested for this development. This does not meet the criteria outlined within SBC Design Guide and is therefore unacceptable. Details of staff employed at the golf club is also required in order to identify how many parking places are required for them. There is no provision of parking for people with disabilities, which again is unacceptable. Disabled provision for a development of this nature should be 6% of the parking spaces provided or a minimum of 3 spaces.

Secure / covered cycle storage should be provided for at least 4 cycles.

There is no indication given as to where refuse will be collected. If it is from the new car park then the applicant must demonstrate that an SBC refuse vehicle can access and egress the facility in a forward gear.

Head of Integrated Transport and Environmental Policy (PROW)

Public Right of Way (BR. No.19 - Grindon) exists over the private access to the farm, as shown on drawing WCL/SA/04/001B and as shown on the attached copy of 'Definitive Map' for information purpose.

Clarification is required regarding the existing bridleway route. If the applicant is considering diverting bridleway No.19, a formal diversion/extinguishment order is required.

However, it is clear that the use of the access track by vehicles will increase to gain access to the car park. Therefore, confirmation of the applicant's intentions to protect pedestrians and equestrians and by what means i.e. speed restrictions, signing, etc. is required for further consideration.

It should be noted that grant of planning permission does not entitle developers to obstruct a public right of way. Enforcement action may be taken against any person who obstruct or damage a right of way.

I will be willing to meet the applicant to discuss the above and alternative routes.

Northumbrian Water Limited

Development Plans Officer

The site lies outside the limits to development where Policy EN13 applies. It permits proposals for sport and recreation outside the limits to development in principle, and therefore I have no objection in principle.

I would suggest that in order to prevent the urbanisation (or appearance of urbanisation) that the development is designed to respect the rural location in terms of landscaping. It may also be appropriate to use environmentally friendly materials for the car park instead of tarmac - such as gravel, block paving, grass Crete or similar in order to assist in natural drainage and prevent localised flooding. Such materials also reduce the perceived 'footprint' of the development. It would also be necessary to screen the development through the use of landscape features such as bunding, trees and other dense planting. Please note that the site lies within the Cleveland Community Forest Area where the planting of trees is encouraged (EN11).

I have not seen a layout plan, however I would object if the proposed storage building were not sited and designed sympathetically to respect the open nature of the site. Ideally it would be attached to any other building e.g.: clubhouse.

Given the location in the open countryside, the use of floodlighting must be strictly controlled to prevent any unnecessary spillage.

Network Rail

Summarised:

The proposal is supported provided that it is associated with the closure of the existing access route over the level crossing at Harpers Garden Centre as the removal of level crossings is a priority of Network Rail. It would be helpful if this could be made a formal commitment by reason of a S.106 agreement or unilateral undertaking to achieve closure of the crossing.

Environmental Health Unit

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

Possible land contamination

C407 Environmental Risk Assessment Phase 1a+b

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 site.

Reason: To ensure the proper restoration of the site.

ENVIRONMENTAL RISK ASSESSMENT PHASE 2

If it is likely that contamination is present, no development shall commence until a Phase 2 site investigation scheme to involve risk estimation has been carried out. The developer must design and implement intrusive investigations to provide sufficient information on potential contamination.

Reason: To ensure the proper restoration of the site.

Landscape Officer

Northern Electric

Councillor S W D Parry

The Ramblers Association

Sport England

Have requested additional information to be sent prior to commenting.

British Horse Society

NEDL

No objections

Barratt Homes Ltd

It is expected that the council will seek a financial contribution to the cost of highway improvement works as was required of them in their housing application on Blakeston Lane. Accordingly, it is expected that if the cost of implementing these works is not as high as anticipated then I would expect the Barratt contribution would be reduced accordingly.

Neighbours were notified and the comments received are summarised below: -

15 letters of objection were received from the Chelsea Gardens, Railway Cottages, Kenley Gardens and Blakeston Lane area.

This is a greenfield site development and is unnecessary. For more than 10 years there has been adequate access to the golf course from Junction Road.

Concern over the creeping urbanisation of Blakeston Lane.

The proposed access to the golf course will add to the traffic along Blakeston Lane which is a minor road as will the recently approved housing development to the south, to a point beyond its maximum capacity.

The new access will become an accident black spot.

The lane is part of the national cycle route and is well used by walkers and joggers. There seems no reason to create hazard for these users when the golf course has existing provision elsewhere.

Traffic entering will be via the Junction Road junction with Blakeston lane which is already busy and which is used by local school children.

Two passing places along the bridleway will not allow traffic to move freely.

The associated traffic will cause constant disruption from early morning to late nights.

The proposed access will utilise part of an existing public bridleway the use of which is meant to be restricted to horse riders, walkers and cyclists.

The sewage is indicated as being dealt with by a bio disk plant, which would require the consent of the Environment Agency, and this does not appear to have been sought.

Issue is taken with the applicant's statement that Blakeston Lane is wide enough for two vehicles to pass.

There is already adequate access to the Golf Course whilst the proposed access is a designated bridleway and it should be unacceptable to permit it to be turned into a road. The proposed car park for up to 50 vehicles would be within a rural area outside of the limits of development as indicated in the Stockton on Tees Local Plan.

There is no justification what so ever why this development in the open countryside, outside the limits of development as defined by the Development Plan should be approved.

The applicant has made no attempt to justify the proposed development.

The applicant makes no attempt to address potential conflict, which will arise between horse riders, pedestrians, cyclists and vehicles from the access road, which is an existing cycle path.

The applicant's traffic count makes certain assumptions that the additional traffic generated by the recently approved development of 130 dwellings on the former quarry site will travel via Junction Road which is simply not the case.

Reference is made to overhanging vegetation and the need for that to be trimmed back. The application would suggest that this is on the west side of Blakeston Lane, which is outside the control of the applicant.

National planning policies have for many years contained a number of key principles some of which have never changed, in particular the principle that the countryside is worth protecting for its

own sake. Objective 4 of the Local Plan reflects the national policy and paragraph 2.4 of the plan repeats it.

The proposed access, car park and building do not fall within the criteria of the Local Plan for uses in such locations. The application is not for sport or recreation as this element already exists and its future in planning terms is secure. In short, the development is not needed.

PLANNING POLICY CONSIDERATION

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.

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 EN11

The planting of trees, of locally appropriate species, will be encouraged within the area indicated on the proposals map as community forest. In considering applications for planning permission in the community forest area, the Local Planning Authority will give weight to the degree to which the applicant has demonstrated that full account has been taken of existing trees on site, together with an appraisal of the possibilities of creating new woodland or undertaking additional tree planting. In the light of the appraisal the Local Planning Authority will require a landscaping scheme to be agreed which makes a contribution to the community forest.

Policy EN13

Development outside the limits to development may be permitted where:

- (i) It is necessary for a farming or forestry operation; or
- (ii) It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or

In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:

- (iii) It contributes to the diversification of the rural economy; or
- (iv) It is for sport or recreation; or
- (v) It is a small scale facility for tourism.

MATERIAL PLANNING CONSIDERATIONS

Principle of development

6. Policy EN13 advises that development outside of the 'Limits to development' may be permitted where amongst other things; it is for sport or recreation. The proposed development is for works, which are ancillary to an existing sport and recreation facility. As such, it is considered the proposed development meets with the criteria of Policy EN13.

7. Objection has been raised to this development, as there is already adequate provision for such ancillary development off junction road, the site of which has recently been refused planning permission for a residential development.
8. Although there is already provision of such facilities these are located on the opposite side of the railway line to the actual golf course itself. The proposed new site remains to be in a position, which is closely linked to the golf course and should, subject to meeting other criteria, be able to provide for this leisure facility whilst remaining in accordance with Policy EN13 of the Borough Local Plan. A benefit of the proposed new location of the ancillary facilities of the golf course is that there would no longer be a need for golfers to use the level crossing off Junction Road, therefore generally reducing the risk for the users of the course.

Design, Layout and Impact on surrounding area

9. The building has a limited footprint and restricted height whilst has a wooded backdrop as viewed from Blakeston Lane. Subject to the appropriate use of materials and the achievement of a suitable landscaping scheme the building and associated car park should be able to blend within its surroundings. In order to achieve an adequate landscaping scheme it is considered there is need for additional planting to the west, which will serve to restrict the views of the site from Blakeston Lane and in part from the bridleway, which runs past the site. The applicant's agent is agreeable to amending the layout in this manner and a revised plan has been requested to address this.

Highways and Bridleways

10. The new access onto Blakeston Lane would result in the closure of an existing access to White House Farm and the reconnection of this track, which is also a bridleway, to the new access.
11. The Head of Integrated Transport and Environmental Policy has advised the access road is acceptable provided the widening areas are kept clear for improved visibility.
12. Additional parking bays have been added to the scheme following comments of the Head of Integrated Transport and Environmental Policy whilst the provision of cycle storage is intended to be provided within the storage building. This has been conditioned accordingly to ensure its provision.
13. Confirmation of refuse vehicle turning and confirmation of visibility splays has been requested. Amended plans are expected to show these details.
14. A commuted lump sum of £15,000 has been requested for a highways improvement scheme and in order to implement a scheme of necessary signage and markings.
15. Additional information has requested in respect to the impact of the development on the Bridleway and the agent for the application is currently addressing this matter with the Councils Public Rights of Way Officer.

Other Matters

16. Network Rail have advised that they support the application provided that it is associated with the closure of the level crossing at the existing site and have indicated that it would be helpful if this could be made a formal commitment by reason of a S.106. Whilst the closure of the level crossing is clearly beneficial it is not considered a necessity of this application whilst any such agreement may place unachievable requirements on the application depending on which individuals have a right of access over this land.
17. Sport England has requested additional information prior to commenting.
18. Barratt Homes have indicated they consider the applicant should make necessary contributions to a highway improvement scheme. The Head of Integrated Transport and

Environmental Policy has advised of their requirements of such for the scheme, which have been accepted by the applicant.

19. The environmental health team have raised no objections to the proposed scheme subject to the imposition of conditions relating to land contamination. Conditions are recommended accordingly.
20. Objection has been made in respect to the proposed means of drainage and the lack of any consultation comment from the Environment Agency. In order to adequately address this matter a drainage condition has been attached to the recommendation, which requires the drainage scheme to be agreed in writing with the Local Planning Authority.

CONCLUSION

The proposed development meets with the requirements of the relevant policies of the Stockton on Tees Local Plan and with the use appropriate materials and landscaping should be able to be carried out without any significant detrimental impact on the surrounding area.

In view of the above and subject to outstanding matters being resolved it is recommended the application be approved.

Human Rights Implications

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

Corporate Director of Development and Neighbourhood Services

Contact Officer Mr Andrew Glossop

Telephone No 01642 527796

Email address development.control@stockton.gov.uk

| | |
|------------------------|------------------------------------|
| Ward | Norton West |
| Ward Councillor | Councillor Mrs P. A. Cains, |
| Ward | Norton West |
| Ward Councillor | Councillor R Cains |

Appendix reference 1
06/2543/FUL

Existing Track East Blakeston Lane And Golf Course, Blakeston Lane, Norton
Revised application for proposed vehicular access to course from Blakeston Lane, a 55 no.
space car park, a modular storage building & associated landscaping

Site location Plan and Site Layout Plan (to be amended)

Appendix reference 2
06/2543/FUL

Existing Track East Blakeston Lane And Golf Course, Blakeston Lane, Norton
Revised application for proposed vehicular access to course from Blakeston Lane, a 55 no.
space car park, a modular storage building & associated landscaping

Building Details

