

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE : 6th December 2006

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

06/3080/OUT

Teesside Industrial Estate, Thornaby

Outline application for the erection of a distribution warehouse

Expiry Date: 10th January 2007

Summary:

Planning permission is sought for the erection for a warehouse building and associated parking on land on Teesside Industrial Estate. The building would provide 19,000m² of warehouse space with 1,000m² of ancillary office space.

The submitted scheme indicates a large rectangular building with car parking to the east and west of the building, with lorry access and manoeuvring to the north and south. Two new vehicular accesses are proposed one to Fleck Way to the west, and to Earlsway to the east. Tree planting is proposed along the north, east and southern boundaries of the site.

A design and access statement, Flood Risk and Transport Assessment accompany the application.

In response to publicity, one email has been received from Sarah Green, a beauty (products) distributor on Teesside Industrial Estate, querying what type of products the new warehouse would distribute and whether it would be built near her site at 55A Perry Avenue.

The proposed B8 development (storage and distribution) provides warehousing accommodation on an established industrial site allocated for B1 (business) and B2 (industry). However it is considered that this non-conforming use can be accommodated on the site without prejudicing the Council's implementation of adopted local plan policy. The proposed site layout and envisaged building are considered acceptable and would not have an adverse impact on neighbouring users or visual amenity. It is considered that the proposed development accords with Adopted Stockton on Tees Local Plan policies GP1 and IN15 in these respects. Final comments in respect of parking and access, and an assessment of the wider traffic impacts are awaited from the Highways Agency and the Head of Integrated Transport and Environmental Policy. A policy assessment in respect of access and highway safety considerations cannot therefore be made.

As this application is of a significant size and is a B8 use proposed on an estate part of which is allocated only for B1 and B2 uses in the adopted local plan, it constitutes a "Departure application". Should Members be minded to approve the application then the Council will be required to notify the Secretary of State. Local planning authorities are required by the Town and Country Planning (Development Plans and Consultation) Directions 1999 to notify departure applications to the Secretary of

State if by reason of their scale, nature or location they would significantly prejudice the implementation of development plan policies and proposals.

RECOMMENDATION

It is recommended that the decision in respect of planning application 06/3080/OUT be delegated to the Head of Planning and subject to Departure procedures, that permission be granted subject to resolution of the outstanding highway safety, flood risk and landscaping issues, and subject to the planning conditions relating to time limits, reserved matters, materials, landscaping, drainage, contaminated land, a Grampian style condition to restrict use of the unit until such time as a roundabout on the A174 Thornaby Road is available for use, and other conditions as necessary and relevant.

However, if there are any matters that cannot be resolved or remain unresolved at 10th January 2007 that planning permission is refused.

The decision to grant planning permission has been taken having regard to the policies and proposals in the Structure Plan and Stockton on Tees Local Plan set out below

Stockton on Tees Local Plan policies GP1, IN1 (b) and IN15

SITE AND SURROUNDINGS

1. The application site is located within Teesside Industrial Estate, and comprises 5.04 hectares of undulating rough grassland with areas of maturing vegetation, which is bounded by existing industrial, warehousing and commercial development within the industrial estate.
2. The western boundary comprises a planted landscape bund, which itself faces Fleck Way. To the north is a cluster of commercial/industrial buildings, beyond which is the road A174 Parkway Extension. To the east are further industrial buildings; beyond which is Stainsby Beck and road A19 (T), and to the south are industrial/commercial buildings.

PROPOSAL

3. Outline planning permission is sought for the erection of a warehouse building and associated parking and landscaping. Although only access and layout are for consideration, illustrative plans indicate a large rectangular building with car parking to the east and west of the building, lorry access to the building and manoeuvring areas are to the north and south. A new access to Fleck Way is proposed to the west of the site, and to the east to Earlsway. Tree planting is proposed to the north, east and southern boundaries.
4. The building would provide 19,000m² of warehouse space with 1,000m² of ancillary office space.
5. A design and access statement, Flood Risk and Transport Assessment, accompanies the application.
6. Although not forming part of this application, Members should be aware and take account of proposed improvements to the road A174 Parkway Extension,

which comprises a new roundabout junction, dual carriageway approaches to be tied to the existing single carriageway and dual carriageway entry/exit from the industrial estate. This development will be considered separately under reference number 06/3081/OUT. This is pertinent to the consideration of this application, as the Transport Assessment relies upon the predicted impacts of those improvements.

Accompanying documents

Design and Access Statement

7. This document sets out the development strategy and illustrative Masterplan for the industrial estate, which details the amount, scale, layout, appearance, and access and landscaping context.

Flood Risk Assessment (FRA)

8. The FRA concludes that
 - The site is located within Flood Zone 1, and as such there is little or no risk of flooding from adjacent watercourses
 - Access to the development is unaffected during extreme flooding events
 - The development will have no impact on flood plain storage or flood low paths subject to the recommendations set out below, the development should have no adverse impact on the flooding characteristics of the Stainsby Beck.

Recommendations to minimise the risk of flooding to people and property, the FRA advises that:

- Site levels should be designed such that surface water flows away from the proposed occupied accommodation
- Flows to the Stainsby Beck should be restricted to green-field run-off rates
- The proposed drainage system should be designed in accordance with BS EN 752:1998, with no flooding for a 1 in 30 year storm.

- Site levels should be designed such that in the 1 in 100 year storm is contained within the site, and does not flow into the watercourse
- Sustainable drainage features should be considered as part of the

Transport Assessment

9. The Transport Assessment concludes that:
 - The site is located within a walking distance of residential area to be south of Thornaby. At present a north-south desire line between the two areas across the A174 Parkway Extension shown by an informal track.
 - A traffic free cycle route is provided alongside the A1045 Thornaby Road to link Teesside Industrial Estate with the residential areas of Thornaby and Ingleby Barwick.

- Bus stops and routes are providing through the industrial estate linking with Thornaby and Stockton. In addition, the new junction provides an opportunity to save on bus mileage by providing a through route avoiding the present need for buses to enter and exit the estate via Stockwell Avenue (roundabout at the junction of Ingleby Barwick Way/Stockwell Avenue/Thornaby Road)
- A new roundabout junction is proposed on the A174 Parkway Extension to improve access to Teesside Industrial Estate. The improvement which comprises a new roundabout junction, dual carriageway approaches to be tied to the existing single carriageway and dual carriageway entry/exit from the industrial estate. The new junction results in a decrease in traffic using the existing industrial estate access points, it is considered that this will mitigate the effect of the proposed development.
- Finally the assessment concludes that subject to improvements being implemented there should be no objection to the development in respect of unacceptable transport impact.

PUBLICITY

10. The application has been advertised on the site, in the local press and neighbouring occupants notified individually.
11. One email has been received from Sarah Green, a beauty (products) distributor on Teesside Industrial Estate, querying what type of products the new warehouse would distribute and whether it would be built near her site at 55A Perry Avenue.

CONSULTATIONS

12. The following Consultations were notified and any comments made are below:

Councillors

13. None received

Head of Integrated Transport and Environmental Policy

14. Comments are awaited.

Highways Agency

15. Comments are awaited.

Environmental Health Unit

16. No objection.

Northumbrian Water Limited

17. General comments made in respect of water supply, production and connections to public sewers. Specific comment is made in respect of drainage of large car parks and requires that areas containing over 60 spaces

and areas subject to oil and petrol spillage must be drained through an oil interceptor before discharging into a public sewer.

Northern Gas Networks

18. No comments received.

Landscape Officer

19. Comments awaited

NEDL

20. No objections and encloses mains records for the area.

Environment Agency

21. Comments that the site is within Flood Zone 1, and objects on the grounds of the size of the development and the lack of Flood Risk Assessment. The response includes a description of the type of information required in an FRA. A Flood Risk Assessment has now been submitted and final comments are awaited.

Development Plans Officer

22. Comments:

“Teesside Industrial Estate is allocated within the adopted Local Plan (1997), as a mixed industrial site where B1 or B2 uses may be suitable.

In order to satisfy this policy all developments should be able to operate without adversely affecting neighbouring uses or being constrained themselves by adjacent business whilst a good standard of design and layout will be required in respect of buildings, servicing and landscaping.

In this instance a B8 use is clearly outside of the Local Plan designation for Teesside Industrial Estate. In order for this development to be acceptable in principle an assessment of the impact of the proposal on surrounding uses is required.

A number of sites have been allocated within policy IN2 for storage and distribution uses these sites are encouraged for such uses as they have more opportunities for providing sustainable transport of bulk loads by rail resulting in a reduction in road miles. However, the majority of these sites are not available for development in the short term whilst rail capacity is also understood to be limited. It is therefore considered that other sites than those defined in the local plan will be acceptable for development based on their individual merits.

In conclusion, for the development to be considered acceptable the site needs to be assessed in terms of impact on neighbouring uses and suitability for B8 use with regard to transport links and general sustainability criteria identified in policy SUS2 of the Tees Valley Structure plan. “

PLANNING POLICY CONSIDERATIONS

23. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. In this case the relevant Development Plans are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).
24. The relevant development plan policies in this case are in the adopted Tees Valley Structure Plan and adopted Stockton on Tees Local Plan

Adopted Tees Valley Structure Plan (TVSP)

Policy SUS2 (Sustainable Development Policy) states the Tees Valley authorities should give regard to several factors through their local plans, development control decisions and partnership activities, including: give preference to brown field sites, and prevent the unnecessary use of Greenfield sites; promote the re-use of vacant land and buildings; encourage development in locations which minimise the need for travel and can be well served by public transport; maintain and enhance the vitality and viability of town and district centres.

Adopted Stockton on Tees Local Plan (STLP)

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 IN1

Land is allocated for business and general industrial uses (Classes B1 and B2) at the following locations:

- (b) Teesside Industrial Estate, Thornaby

Policy IN15

Detailed proposals for industrial development will be assessed according to policy GP1 and should also provide screening to any outside storage areas.

MATERIAL PLANNING CONSIDERATIONS

Principle of Development

25. The site lies within the established Teesside Industrial Estate in Thornaby. However, the proposal is of significant size and is a B8 use proposed on land within an estate allocated only for B1 and B2 uses in the adopted local plan. As such it constitutes a "Departure application". However, it is not considered that this development would give rise to unacceptable environmental impacts nor prejudice the Council's implementation of Policy IN1 on the remainder of the allocated land at Teesside Industrial Estate. As the site is accessible by various modes of transport, and in view of the sites use and location, it is considered that the principle of the proposed development is acceptable.
26. The main considerations of this application therefore relate to the layout of buildings, their impacts on surrounding land uses and the provision of access and parking. These, and other issues, are considered as follows;

Layout

27. The building would be positioned centrally within the site and would be visible in local views. Although landscaping is reserved for future consideration, it should be noted that any planting would take some time to mature to provide screening of the proposed building and visual disturbance caused by the comings and going of vehicles and pedestrians. However, it is considered that given the envisaged scale and design of the building and the proposed layout, the new development would blend in with and be viewed in the context of the surrounding existing industrial/commercial buildings.
28. The proposed access to the west would cut through the landscaping bund to Fleck Way. It is considered that the impact of the works to the bund would have limited impact on the local visual amenities, and is restricted in the main to internal views from within the Industrial Estate. In principle therefore the works to form a new access to Fleck Way is acceptable, but subject to the fine details of the resultant landform and any planting proposals.
29. The proposed access to the east would be formed to an existing road within the industrial estate, and subject to the landform and planting proposals, it is not envisaged that this would have an adverse impact on visual amenity. It is considered that the proposed development therefore accords with Policies GP1 and IN15 of the Adopted Stockton on Tees Local Plan which requires that new industrial development are considered against its external appearance and relationship with the surrounding area.

Impact on Surrounding Land Uses

30. Existing industrial, commercial and warehouse premises surround the site. It is not considered that this development would give rise to unacceptable environmental impacts which would adversely impact upon the amenity of the occupants of those neighbouring premises, nor any that would not be expected of users on an industrial estate.
31. One email has been received from Sarah Green, the occupier of 55A Perry Avenue querying the user and relative location of the proposed unit. The site lies over 200 metres from Unit 55A Perry Avenue, and the end user is as yet unknown.

Access and Highway Safety Considerations

32. The final comments of the Head of Integrated Transport and Environmental Policy and the Highways Agency are awaited, and therefore a final assessment of the likely impacts of the development in access and highway safety terms cannot be made.

Residual Matters

Drainage

33. Notwithstanding the comments of the Environment Agency, a Flood Risk Assessment has been submitted and final comments are awaited.

Procedural Matters

34. Referral to Secretary of State

As this application is of a significant size and is a B8 use proposed on an estate allocated only for B1 and B2 uses in the adopted local plan, it constitutes a "Departure application". Should Members be minded to approve the application then the Council will be required to notify the Secretary of State. Local planning authorities are required by the Town and Country Planning (Development Plans and Consultation) Directions 1999 to notify departure applications to the Secretary of State if by reason of their scale, nature or location they would significantly prejudice the implementation of development plan policies and proposals.

CONCLUSION AND RECOMMENDATION

35. The proposed development provides warehousing accommodation on an established industrial site, however it is considered that this non-conforming use can be accommodated on the site without prejudicing the Council's implementation of adopted local plan policy. The proposed site layout and envisaged building are considered acceptable and would not have an adverse impact on neighbouring users or visual amenity. It is considered that the proposed development accords with Adopted Stockton on Tees Local Plan policies GP1 and IN15 in these respects. Final comments in respect of parking and access, and an assessment of the wider traffic impacts are awaited from the Highways Agency and the Head of Integrated Transport and Environmental Policy. A policy assessment in respect of access and highway safety considerations cannot therefore be made.
36. Provided that any outstanding issues are resolved and responses are positive, it is recommended that the decision in respect of planning application 06/3080/OUT be delegated to the Head of Planning for approval subject to resolution of the outstanding highway safety issues, flood risk and landscaping issues, and subject to the planning conditions set out above. However, if there are any matters that cannot be resolved or remain unresolved at 10 January 2007 that planning permission is refused.

Corporate Director of Development and Neighbourhood Services
Contact Officer: Andrew Glossop
Telephone No: 01642 527796
Email address andrew.glossop@stockton.gov.uk

Financial Implications.

None

Environmental Implications.

As Report.

Community Safety Implications.

Not Applicable.

Human Rights Implications.

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

Background Papers.

Adopted Tees Valley Structure Plan (February 2004)

Adopted Stockton on Tees Local Plan (June 1997)

Planning Application No. 06/3080/OUT and 06/3081/FUL

Ward Stainsby Hill

Ward Councillors Councillor D T Brown
Councillor J M Lynch