

DELEGATED

AGENDA NO.

PLANNING COMMITTEE

6th JUNE 2007

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

07/0923/FUL

**Northumberland Road, Pearl Road, Garnet Road, Mandale, Thornaby
Demolition of existing houses, closure of redundant roads and paths, and
construction of 263 no. new dwelling units comprising new flats, bungalows
and houses with garages, parking and landscaping.**

Expiry date: 2ND JULY 2007

Summary:

This application follows on from previous applications on the Mandale Area of Thornaby and seeks detailed planning consent for phase 2 of the Mandale housing scheme. The site lies to the west of the existing redevelopment taking place in Phase 1 and Phase 1A of the Mandale scheme.

Planning permission is sought for a total of 263 dwellings as part of phase 2. The development will provide a mix of housing types including bungalows, detached and semi-detached homes, terrace properties and apartments.

There is no planning objection to the scheme, which will continue the regeneration of the Mandale area of Thornaby and bring important improvements to the benefit of the whole community and help continue the redevelopment process, given that many of the outstanding issues can be resolved either with additional information or via planning conditions it is considered that the proposal should be delegated to the Head of Planning.

Recommendations:

Planning application 07/0923/FUL be delegated to the Head of Planning for approval with appropriate conditions and subject to no objections from any statutory consultees

Conditions will relate to:-

Approved Plans

Materials

Final details of pocket parks and green corridor

Detailed specification of pocket parks and green corridor

Hard and soft landscaping

Landscape works for the housing

Environmental Art

Landscape maintenance programme

Removal of Permitted Development rights – extensions/alterations

Removal of Permitted Development rights – Conversion of garages
Ground/finished floor levels
Construction hours
Drainage
Foul and surface water drainage
Oil interceptor
Land remediation scheme

And any additional conditions as is seen to be necessary

Policies GP1 and HO11 of the adopted Stockton-on-Tees Local Plan and Planning Policy Statement No.3: are considered to be relevant to this decision.

Background:

1. Outline planning permission to redevelop former Council owned land in Thornaby known as the Mandale estate for new housing was granted in March 2004 (application No 04/0213/OUT). This involved the demolition of some 578 houses and replacing them with approximately 600 dwellings of a mixed type and tenure.
2. An application for the approval of reserved matters for the first phase of development (04/2435/FUL) was approved and proposed a mixed housing scheme of 256 dwellings comprising a mix of. This first phase is located at the northern end of the site south of Lanehouse Road.
3. An application for Phase 1A housing relating to former playing land west of Mitchell Avenue was also approved in November 2005 (application 04/2434/FUL) and proposed the erection of 152 no. dwellinghouses together with linear park and associated landscaping.
4. Further applications under Section 73 of the Town and Country Planning Act 1990 to vary the permissions of phase 1 (06/1194/VARY) and phase 1A (06/1284/VARY) were approved in 2006. The changes approved under Phase 1 saw changes to the overall layout and a reduction in the number of units from 256 to 255. Only minor changes were sought under the variation of the approved plans for phase 1A.
5. This application follows on from the previous applications and seeks detailed planning consent for phase 2 of the Mandale housing scheme. The site lies to the west of the existing redevelopment taking place in Phase 1 and Phase 1A of the Mandale scheme.

The Proposal:

6. The application site is bounded by Diamond Road to the east, Thorntree Road to the west the school playing field to the north and Redcar Road to the south and measures approximately 6 hectares.
7. Planning permission is sought for a total of 263 dwellings as part of phase 2. The development will provide a mix of housing types including bungalows, detached and semi-detached homes, terrace properties and apartments.

Consultations

8. The following Consultees were notified and any comments made are shown below

Urban Design Team
General Summary

I refer to your letter and enclosures dated 4 April 2007 and comment as follows.

The planning application is acceptable in principle and the departure from standard for car parking (in line with what was agreed for Phase 1) has been submitted and approved subject to clarification of minor issues

Should permission be granted the following details should be conditioned:-

Highways Comments

The development will need to comply with the Design Guide and Specification (Residential Estates Development); to that end the following matters need further consideration:

- An additional car parking space constructed in the position of the 'reserved' parking for the social housing element will be required in the event that any of the social housing becomes available for private use;
- The departure from standard form refers to the provision of pinch points as a method of traffic calming. It is our understanding that these are visual features associated with the layout and not built structures within the carriageway. This needs to be clarified and approved;
- Forward visibility in line with the Safe Stopping Distance for the design speed of the roads needs to be demonstrated; and approved
- Parking courts will not be adopted but need to adhere to Secure by Design principles and should be lit
- Access for refuse vehicles needs to be demonstrated via tracking and approved;
- Access for refuse and recycling bins requires clarification and approval e.g. plots no 249-253;
- A number of junctions are non-standard in terms of geometry and kerb line radius and may lead to vehicle conflict particularly on the bus routes. A white lining drawing which clarifies the reasoning and method of operation at these junctions is required for approval;
- No planting or boundary walls above 600mm is allowed within the visibility splays and over hang from tree canopies should be above 2m and should not require maintenance Plot 91 for example
- Plot 165 tracking to be demonstrated for reversing vehicles, 194 requires reversing along footpath, plots 180/182 pedestrian conflict, Plot 127 & 130 opening of garage door and pedestrian to vehicle visibility issues, Plot 34 should not be on kerb radius. Plot 73 & 74 requires vehicles to manoeuvre over footpath. All to be clarified and approved;
- Plots 127-130 should be served from estate road and clarification of width required
- Proposed materials for highway construction are required for consideration. Such material will follow those selected for Phase 1 to ensure an integrated scheme is implemented, example details of the materials proposed covering both the functional (Highways) and Aesthetic quality (Urban Design) are required for approval;
- Cycle crossing details are required for approval;
- Plot No's 111-112, footpath required
- A Stage 1 Road Safety Audit in line with national guidance is required for approval;

- The developer will need to enter into a Section 38/278 Agreement with the Council for the lengths of highway to be adopted. Materials to follow those agreed for Phase 1/1A in particular the use of PCC slabs and block paving along the main distributor road and cycleway. Such materials to continue to the proposed road crossings. (Toucan?) It is of note the crossing will be provided by Phase 3 of the regeneration project but location of the crossing is to be fixed as part of this phase to enable construction of the cycleway along Diamond Road.

It is also noted that highway closures will be required.

Landscape & Visual Comments

Hard Landscape Works

Detailed descriptions of all hard surfaces, boundary walls and fences, street furniture including light columns etc. shall be submitted for approval, including trade names, colours and dimensions. These materials shall follow the agreed designs as previously approved for Phases 1 and 1A (Applications No 04/2424 and 2435). All departures from the agreed palette to be approved the LPA and samples of materials may be requested. These proposals must also take in to account of the proposed soft landscape scheme in particular positions of trees and street lighting columns.

With regard to Thorntree Road there is an opportunity to introduce a boundary wall with gated access to the drives. This would give both enclosure to the properties and improve the streetscape. Gates will have to open inward therefore drive lengths will have to accommodate the gate opening plus provide the requisite number of spaces. Minor amendments to layout may have to be made to the layout of the housing along Thorntree Road to enable the treatment to be considered for the full length of the development.

Gateways and environmental art (Focal Points) shall follow the design previously agreed for Phase 1/1A. The location for entrance gateways to be:

- at the new access points on Thorntree Road (Pedestrian and Vehicular access),
- entrances / egress of the off road cycleway,
- at the vehicular access from Diamond Road.
- Artwork shall be considered for the 3 areas of incidental open space, which are proposed along the main distributor and cycleway.

Where possible and in addition to individual pieces of sculpture environmental art should be incorporated within hard works and could take the form of enhanced street furniture and floorscape. Details to be submitted for LPA approval.

Boundary treatment for timber fencing that abuts any area of land that is in council ownership shall have design life of 40 years. All such boundary treatment to be stained a dark colour. Colour to be agreed.

Tree and Shrub Planting

The proposal for the creation of avenues of trees lining the distributor road is acceptable in principle. Tree species should follow those agreed for Phase 1/1A. . All departures from the agreed tree selection to be approved by the LPA and samples of materials may be requested. Refer to Attached list of trees suitable for roadside locations. As these trees are to form a framework

for development all statutory services must be located away from these trees or installed in accordance with NJUG regulations,

A condition shall be placed on the submission of detailed landscape proposals. Tree planting will be required as part of the discharge of conditions and details shall include, species, stock sizes, root barrier, positions of pits, and construction techniques.

The proposed tree planting within Phase 2 is located within close proximity to the proposed housing. Root barriers or deeper house foundations may therefore be required. I recommend that details of tree planting proposals be forwarded to Building Control to ensure that any approval of building regulations **does not** prevent planting of trees.

Shrub Planting

Full planting plans shall be submitted for approval as part of discharge of conditions. The planting plans shall follow the design principles of the adjacent Phase 1/1A site and shall be submitted in a form that clearly identifies the positions and sizes of the individual planting plots. A suitable scale for these plans is 1:200. A planting schedule including stock size and planting density shall accompany these plans.

The planting strategy submitted, Drawing No 443/01 A is acceptable as the principle for development but there is considerable scope for additional internal planting. It is recommended that the plan be revisited as part of the detailed landscaping to introduce additional planting plots. The inter-relationship of the plant species will be required together with a planting schedule as part of the detailed proposals. The schedule will stipulate Stock Size and Type and Planting Density.

All shrubs should be planted in beds formed with a minimum depth of 40cm topsoil.

Planting proposals to follow recommendations of secured by design. Information on this issue is provided in the in the SBC Design Guide and Specification. Further advice is available from Cleveland Police. Shrubs likely to reach a height of more than 60cm should not be planted within highway visibility splays at road junctions. Care should also be taken to avoid species that may trap litter.

A detailed planting specification to cover work from ground preparation, planting the trees and shrubs through to completion on site shall be submitted for approval.

Maintenance

A detailed maintenance specification shall be submitted for approval. SBC will require landscaped areas to be maintained for a minimum period of two years (24 months) from practical completion of the implementation of the planting proposals (note this may be some years following occupation of the dwellings). During this period the Developer shall make provision to replace all dead stock to obtain 100% healthy establishment of all plant material. The Developer will also be required to replace any trees that have become badly misshapen by dieback, disease or damage and all dead or stock that is failing to thrive in non-adopted areas for a further three years.

Grassed Areas

The grass-seed mix and rate of application shall be submitted for approval. A 'low maintenance' mix is strongly recommended particularly if the scheme is adopted by the SBC. Small, awkwardly shaped areas or slopes steeper than 1 in 3 (33%) are difficult to mow and shrubs are often a better form of ground cover in these places.

Mowing strips not less than 15cm wide shall be provided where a grassed area meets a vertical surface. Ideally, these strips should be paved. Grassed areas must have at least 150mm depth of topsoil.

Environmental Health Unit

Further to your memorandum regarding the above, 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.

Land Remediation
Construction Noise

The Environment Agency

Thank you for supplying the Flood Risk Assessment (FRA) for the proposed housing development. We accept that Northumbrian Water Ltd have capacity in their sewer system to take additional flows from development. However, there is no assessment of where these flows finally discharge to and whether this additional 200l/s (litres/second) will increase flood risk down stream.

Until a detailed assessment of flood risk downstream has been undertaken then we object to the proposal.

Should the above objection be overcome, the agency recommend that the following CONDITION be included as part of any planning permission.

CONDITION: Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings 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.

NEDL

No objections but refer the developer to the Health and Safety Executives publications on working with and in and around electricity.

Northern Gas Networks

No objections

9. The application has been advertised on site and in the Local Press as well as individual letters being sent to neighbouring residents. The neighbour consultation period expired on the 7th May 2006. 2 letters have been received to the proposed development. Objections/concerns are raised on the following issues (in summary)

- Will result in the loss of property/homes
- Compensation will mean loss of money
- Moving home will result in stress
- Consultation has not taken place

Planning Policy Considerations

10. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, 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).
11. The following planning policies are considered to be relevant to the consideration of this application:

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 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.

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. Encouragement is also given to scheme of a mixed tenure and housing type.

Material Planning Considerations

12. The main planning considerations of this application are the impacts on the character of the area, amenity of neighbouring occupiers, access and highway safety and flood risk.

Principle of development;

13. The application site lies within the limits to development, is a previously developed site and has the benefit of outline planning consent, the principle of residential development is therefore considered acceptable.
14. The recently produced Planning Policy Statement 3 outlines that there is a priority to re-using previously developed land within urban areas and to provide a mix of housing tenures and sizes/types within residential developments and to encourage more sustainable patterns of development near to public transport and local services. The proposal accords with national planning guidance in this respect. PPS 3 also states that Local Authorities should seek to encourage developments, which make more efficient use of land, and that 30 dwellings per hectare should be seen as the minimum for density guidance. In this redevelopment density comes just below 42 dwellings per hectare and is in line with the previous phases and PPS 3.
15. Concerns have been raised by some of the residents who will lose their homes to the development. Whilst these concerns are understandable they only relate to a small minority of residents and to accommodate their wishes could severely jeopardise the whole scheme. Compensation will be offered and the residents will have the opportunity to remain in the area. The Council's Housing officer has commented as follows on the objections received;

"The Mandale Demand Study was carried out by AMION Consulting (25 January 2002), as a response to the poor housing conditions and low demand of the area, and a need for change.

At the time of the Mandale Demand Study, the area was unpopular, with high levels of void properties. From a total of 555 properties, 82 were void, which represented 14.8% of the housing stock. Those people with the ability and affluence to move out had done so into areas and properties, which they feel better, suit their needs and desires. This effect leaves the less affluent, the aging population, and the unemployed behind. This has a detrimental effect on the estate, creating a downward spiral and ultimately market failure, which is evident throughout the estate.

The Demand Study identified four possible options for the Mandale estate. Large-scale rationalisation was the preferred option as it allows maximum impact through a strategic solution, which addresses the current property mismatch and importantly, offers the greatest prospect for securing private sector investment.

Following the Mandale Demand Study, Nomad Housing Group were formally appointed as the Council's preferred Registered Social Landlord partner in October 2002.

Consultation with local residents and stakeholders has formed a fundamental element in delivering the scheme. A Community Influence Group (CIG) that consists of all the key community, statutory and voluntary sector stakeholders, has been formed to provide ongoing community engagement.

The Mandale Demand Study identified large-scale rationalisation / disposal as the preferred option, and in January 2003 the Council's Cabinet approved that recommendation. Thereafter, the consultation was focussed upon the preferred option.

The purpose of the consultation was to inform local residents of the plans for the area and seek their views on how the new neighbourhood should be developed.

Schedule of consultation

Consultation events / open sessions / public meetings

Consultation prior to the Demand Study

Date	Event
<i>6th February 2001</i>	<i>Residents Group meeting</i>
<i>28th March 2001</i>	<i>Consultation Event</i>
<i>23rd April 2001</i>	<i>SBC Officers attended Ray of Light Residents Group</i>
<i>1st May 2001</i>	<i>Residents Group AGM. SBC Officers updated Residents Group on regeneration proposals</i>
<i>9th May 2001</i>	<i>Consultation Event</i>
<i>31st July 2001</i>	<i>Public meeting at Mandale Community Centre to discuss issues such as housing, regeneration and the consultation events held on 28th March and 9th May.</i>

Consultation after the Demand Study

Date	Event
<i>28th, 29th 30th May 2003 – 9am-5.30pm</i>	<i>Every resident was offered the opportunity of a 'one-to-one' consultation meeting to discuss and explain the scheme. These were held in the Advice Centre, Loftus Rd.</i>
<i>3rd June 2003: 10am-12pm & 7-9pm</i> <i>5th June 2003: 3-5pm & 7-9pm</i>	<i>Drop in sessions, held at Robert Atkinson Centre, which provided residents an opportunity to view detailed planning boards showing how the area may look.</i>
<i>4th June 2003, 3-7pm</i>	<i>Drop in presentation sessions at the Robert Atkinson Centre. Examples of recent work on display and staff present to discuss a variety of issues with residents, for</i>

	<i>example rents and tenancy agreements.</i>
<i>27th November 2003</i>	<i>Consultation event at the Robert Atkinson Centre. Phase 1 residents invited to comment specifically on the draft master plan and proposals for Phase 1, in which they will be re-housed. Letter sent out to all Phase 1 residents prior to event.</i>
<i>7th July 2004</i>	<i>Community Update session, 2 – 7pm, Robert Atkinson Centre, 91 households attended. Flier went to every household on the estate prior to the event.</i>
<i>2nd March 2005</i>	<i>Consultation event, Robert Atkinson Centre, every households received flier prior to event. 135 households attended.</i>
<i>17th January 2007</i>	<i>Consultation event, Robert Atkinson Centre – for phase 2 – residents of phase 2 and surrounding properties notified of event.</i>

In addition to the above events a number of letters, fliers, newsletters have been sent to the residents within the phases of development and surrounding properties.

In May 2003 every resident was offered the opportunity of a ‘one to one’ consultation meeting to discuss and explain the scheme. This individual approach to resident’s queries has continued with Officers offering further visits as and when requested. The outcome from the visits, has shown that the vision for a new, sustainable Mandale is one that is shared with the vast majority of residents:

- *Strong support for the preferred option of large-scale demolition and redevelopment:*
- *80% support*
- *7% don’t support*
- *13% don’t know*
- *Also, a strong recognition of the need for the regeneration of the estate was apparent.*

The scheme proposals have been given Cabinet approval at every required stage.

Specifically in relation to phase 2, within January 2006 letters were sent to all residents of phase 2 which outlined the phasing of the proposed decant of the phase and requested initial views as to the housing choices and need. This was followed with a further letter in May 2006 to inform of one to one visits to all residents within May and June 2006 to determine housing requirements.”

Impact on the character of the area:

16. The proposed development follows the style and design of the previously approved phase 1 and phase 1A housing developments within the Mandale development area. It is considered that the basic design and layout of the proposals are acceptable and with the associated landscaping will benefit and improve the local area as a whole. The proposal is therefore deemed to be in

accordance with policies GP1 and HO11 of the adopted Stockton on Tees Local Plan.

17. The Urban Design officers have made various comments in relation to the proposed scheme, but have no objections in principle to the proposed development. Many of these issues can be addressed via planning conditions or through additional information prior to determination, for these reasons the scheme is considered to be in accordance with policies GP1 and HO11 of the adopted Local Plan.

Impact on residential amenity:

18. The proposed dwellings on the periphery of the development are a minimum of 21 metres from the surrounding existing residential properties, this is in line with the Council's minimum separation distances and it is considered that the development will not have a detrimental impact on the amenity or privacy or existing residents.
19. Internal relationships between the proposed dwelling are also considered to be adequate and meet with the minimum rear-to-rear distances and side-to-rear distances, therefore the future residents of the scheme will have a level of privacy and amenity that could reasonably be expected from a modern housing development.
20. The proposed plots are also judged to have an acceptable amount of formal and informal amenity area and the development accords with policy HO11 in this respect.

Impact of Traffic and Highway safety:

21. The Urban Design Unit (engineers) have made various comments in relation to the submitted layout. Various changes are required and the applicants are aware of the requirements. However, there is no fundamental objection to the scheme and the issues are considered to be resolved through either revised drawings or via planning conditions. On this basis the proposed development is not considered to pose a significant threat to highway safety and it is recommended that the application be deferred to the Head of Planning for approval subject to these issues being resolved.

Flood Risk:

22. Although a Flood Risk Assessment was submitted as part of the application the Environment Agency require additional information in relation to where the surface water finally discharges to and whether this additional 200l/s (litres/second) will increase flood risk down stream and have objected to the development.
23. Although this is an objection from a statutory consultee it is not considered to be a fundamental objection and can be overcome. On this basis the application is recommended to be delegated to the Head of Planning for approval subject to the issue being resolved prior to the expiry date of the application.

Conclusion.

24. The concerns raised by the residents who will lose their homes to the development are understandable but only relate to a small minority of residents. To accommodate their wishes could severely jeopardise the whole

scheme. Compensation will be offered and the residents will have the opportunity to remain in the area.

25. In summary it is considered that the development is satisfactory. It is a radical scheme that has the support of the vast majority of residents, as it will ultimately result in a sustainable community of mixed tenure and housing types and is in line with current Government advice.

Corporate Director of Development & Neighbourhood Services

Contact Officer: Peter Whaley

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Financial Implications

As report.

Environmental Implications

As Report

Community Safety Implications

N/A

Human Rights Implications

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

Background Papers

Stockton-on-Tees Local Plan

Regional Spatial Strategy

Tees Valley Structure Plan

Planning Policy Statement 3: Housing

Application files 04/0213/OUT; 04/2434/FUL; 04/2435/FUL, 06/1284/VARY &

06/1194/VARY

Ward and Ward Councillors

Mandale And Victoria Ward

Councillors A Trainer, S F Walmsley and T Large