

**DELEGATED**

**AGENDA NO 7**

**PLANNING COMMITTEE 8<sup>th</sup> August  
2007**

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

**07/1416/FUL**

**Teesside Industrial Estate, Thornaby, Stockton On Tees  
Revised application for New roundabout junction and ancillary works on the  
A174.**

**Expiry Date: 16 August 2007**

1. Additional information has been submitted from the applicant in the form of an Ecological Report, Tree Survey, Noise Strategy and a Supplementary Planning Statement. In addition, further comments have been received from Councillor Sylvia Walmsley, Urban Design Landscape and Environmental Health.

#### **Additional Comments from Consultees**

Cllr Sylvia Walmsley (summarised)

2. Considers that it is unacceptable to judge this application without a visit to those residents homes which are most affected by the proposal, considering that the whole aspect of properties being screened by trees changes when you visit the 1st floor levels of these properties which are on a level with the road because of its raised position, considering that the trees have no impact whatsoever at that level. Comment was also made in regard to residents only receiving 3 days notice of the committee site visit. Cllr Walmsley has asked for Committee to defer this application until a formal site visit can be held specifically visiting the houses on Marykirk Road

Urban Design – Landscape

3. Agree with the Tree Report that the tree cover has deteriorated due to lack of appropriate management and that removals would be required to create the longevity of the better principal trees leaving aside any highway works. However, it is important that we get a good landscape replanting scheme that replaces trees lost with a more diverse planting character that will in time improve the aesthetic and wildlife quality of the site.

Environmental Health (summarised)

4. Accept the recommendations of the Noise Strategy.

#### **Material Planning Considerations**

##### Impact on Trees

5. It is considered that the additional information and consultation responses do not change the considerations or recommendations of the main report and it is still considered that only limited impact to existing landscaping will occur,

relative to the level of landscaping within the area, whilst additional planting works will be required to soften the development scheme and counter balance the impact of loss.

#### Noise Strategy

6. The Noise Strategy outlines a post completion noise exposure survey being carried out at the boundary of the nearest noise affected property and mitigation strategy in the form of erecting noise screening and increasing the height and acoustic properties of the properties boundary fencing, should the noise level be increased by a level indicated within the Noise Limitation Regulations. The Councils Environmental Health Officer considers these are adequate details and as such, it is considered that the recommended condition requiring noise assessment and mitigation post works is adequate to deal with this matter.

#### Ecology

7. The results of the desk study indicate that no existing records of protected species have been recorded within 2km of the site. The risk assessment of the trees which would be cleared to accommodate the proposed roundabout indicates that there is evidence, due to the small size of the trees within the area of land-take for the proposed works, that this area has been cleared in the recent past, possibly to construct the embankment for the A174. None of the trees within the footprint of the proposed roundabout are of sufficient size to have any potential for roosting bats. Only a few trees within the adjacent area were of sufficient size to have any potential to support roosting bats, but all were considered to be of low risk due to lack of any visible features which bats could exploit. Therefore, provided the working area beyond the foot of the proposed roundabout embankment does not exceed 10m in distance then the risk of an impact occurring on roosting bats is low. A condition has been recommended within the main report which requires tree protection fencing to be agreed.
8. The survey indicates that the habitat along the embankments and within the woodland could provide suitable terrestrial habitat for the adult stage of amphibians although the drainage ditches are considered to be of low risk of supporting breeding Great Crested Newts or other amphibians as they would be dry during summer months which would prevent amphibian larvae completing their development into adults. Only one pond within 500m (maximum expected distance for newts to travel from pond or other water source) was identified and exists on the Teesside Industrial Estate approximately 400m to the south. No records of Great Crested Newt were recorded for this pond, although a record of smooth newt was provided by Tees Valley Wildlife Trust. The land between these locations would present a significant barrier to amphibian movements, since it is extensively developed by industrial units and roads. It is therefore unlikely that any newts occurring in this pond would utilise the terrestrial habitat along the A174 embankments. The survey work considers surrounding grassland and woodland habitats could provide suitable terrestrial habitat for Great Crested Newts; however the absence of any known or potential breeding ponds within 500m suggests that their presence in this area is unlikely.
9. The survey work indicates that no field signs of badger or any other protected species was recorded on site although evidence of grey squirrel was noted.

### Other Matters

10. With regard Cllr Walmsleys concerns about committee not making a site visit, the material considerations within the main report have taken into account the impact on properties in Marykirk Road. Photographs are included within the committee presentation which show views from the first floor window of No. 64 Marykirk Road.
11. With regard to the date on which committee invite letters were sent, these were sent on the Wednesday 1<sup>st</sup> August 2007 as were the invite letters for all committee items. However, there were postal strikes on the Tuesday and Thursday of this week which may have delayed them being delivered. The Local Planning Authority are happy that they made their best endeavours to get the invite letters to objectors at the earliest possible time.

### **Conclusion**

12. Based on the above, there are no amendments to the recommendation made within the main report other than in relation to the precise wording for the Heads of Terms which has been amended to give flexibility as to the precise mechanism for provision. The amended wording is as follows:

### **Heads of Terms**

**Prior to the commencement of the development, the developer shall pay a bond of £10,000 to the Local Planning Authority for the purposes of undertaking a highway improvement scheme within Teesside Industrial Estate, should such a scheme be required. These monies shall be paid through a Section 106 Agreement or other similar legal agreement.**