

DELEGATED

AGENDA NO

PLANNING COMMITTEE

DATE 31st OCTOBER 2007

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

07/2360/OUT

**Land at Boathouse Lane, (Northern Machine Tools Engineering), Stockton-on-Tees
Outline application for residential development including restaurant, riverside walkway and
emergency access.**

Expiry Date: 6th November 2007

Summary

This application seeks Outline Planning permission for a residential led mixed-use development of part of the greater Boathouse Lane area. The application is in outline with all matters reserved except for access, scale and landscaping.

The proposal is to redevelop the 1.88 hectare site and establish the principle of residential development. The application is supported by an indicative built form Masterplan that provides a detailed layout of the scheme and should not be considered as a final proposed layout of future residential development of the site. The illustrative site layout shows provision of 118 dwelling units. Also supporting the application is a Transport Assessment, Noise Assessment, Planning Statement, Flood Risk Assessment, Site Investigation and Risk Assessment, Ecological and Archaeological Evaluation, Air Quality Assessment, Residential Travel Plan and Design and Access Statement.

The site occupies an important riverside location and forms part of a larger site known as Boathouse Lane. Given the important riverside gateway location, the Council has prepared a planning and design brief to guide future development on the site and surrounding area, which was formally adopted as a Supplementary Planning Document (SPD) in 2006. Importantly the brief seeks to deliver a high quality and commercially successful mixed-use development including residential development for the area through an established Masterplan and agreed design principles.

The key objectives of the document are:

- To ensure the appropriate, comprehensive redevelopment of a key River Tees corridor site within the wider context of the Stockton Middlesbrough Initiative;
- To create a Gateway into the town centre, including a regionally - significant landmark building;
- To create a diverse, attractive and exciting place to live work and visit;
- To ensure high quality urban design, which maximises the potential use of the water frontage location;
- To protect and enhance the natural and historic environment;
- To improve linkages with surrounding land uses.

The proposal is considered to be broadly in line with the above-mentioned key objectives and general planning policies as set out in the Development Plan and is recommended for approval with conditions.

RECOMMENDATION

RECOMMENDED that the application 07/2360/OUT be APPROVED subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and the conditions:

In the event of there still being outstanding matters with the legal agreement by 6th November 2007 that the application be refused.

SECTION 106 AGREEMENT

Heads of Terms

School Places

- 1. The rate of contribution required from developers for school places would be £8,000 x 0.26 = £2,080 per family home. (i.e. homes with two or more bedrooms).***

Payment of developer contributions should be made at the commencement of development.

The calculation to reflect a discount of £8,000 per vacant place in St. Cuthbert's, Bowesfield and Oxbridge Lane Primary Schools as recorded within the Annual School Census current at the time payment is due, subject to a pro-rata allocation of this discount amongst other planned development within the local area (Planned developments being proposed residential developments which have at least reached the planning application stage). Local Authority to provide within one month of a request being made its confirmation of the applicable discount by reference to the Annual School Census and specific details of other developments to benefit from the discount.

Contribution to be held in an interest-bearing account. Payment to be used for the purposes identified within 5 years of payment being made or otherwise returned together with the interest accrued.

- 2. A commuted lump sum of £22,000 for the provision of public transport infrastructure.***
- 3. A commuted lump sum of £87,000 by way of a contribution towards improvements to land adjacent South Stockton Link Road.***
- 4. A commuted lump sum of £15,200 for improvements to the riverside footpath/cycleway including river retention as required.***
- 5. A commuted lump sum based on calculation for the maintenance of trees and soft landscaping in the adopted highway.***
- 6. Provision for Public Art either by way of commuted lump sum or provision by the developer to a value of 1% of the total cost of the construction of the buildings within the development. Such total cost to be calculated using, in relation to the cost of construction of residential dwellings, the average construction cost of the residential dwellings; and in respect of non-residential buildings the actual basic construction cost of each such building.***

Conditions:

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.***

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>Pod-sw-o-001-12-01</i>	<i>26 June 2007</i>
<i>Pod-sw-o-001-10-03</i>	<i>18 July 2007</i>

Reason: To define the consent.

02. ***Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.***

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

03. ***Approval of details of the appearance of the buildings and layout of the site shall be in accordance with the details of the scheme to be submitted to and approved by the Local Planning Authority before the development commences.***

Reason: To reserve the rights of the Local Planning Authority with regard to these matters.

04. ***The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.***

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

05. ***The development shall be implemented in general conformity with the approved "Illustrative Built Form Masterplan" and Design and Access Statement submitted with the planning application unless otherwise agreed in writing by the Local Planning Authority. Nothing in this consent shall be construed as authorising the illustrative details submitted with the application other than the means of access and scale for which approval was sought.***

Reason: To ensure that the Reserved Matters for the appearance and layout to be submitted are in accordance with the approved Design and Access Statement and to enable the Local Planning Authority to satisfactorily control the development.

06. ***The total amount of residential units as authorised by this permission shall not following the issue of the permission hereby granted exceed 118 dwellings.***

Reason: To ensure a satisfactory form of development.

07. ***15% of the residential units hereby approved shall be affordable and provided in the form of shared ownership and/or shared equity. As part of an application for reserved matters, details shall be submitted for approval of the Local Planning Authority of a scheme for the provision of affordable housing on the site. The submitted scheme shall include details of the following, as appropriate:***

- i) the delineation of the area or areas of the site upon which the affordable dwellings will be constructed;**
- ii) the type and size of affordable dwellings to be provided;**
- iii) the arrangements the developer shall make to ensure that such provision is affordable for both initial and successive occupiers;**
- iv) the phasing of the affordable housing provision in relation to the provision of open market housing on the site;**
- v) Occupancy criteria and nomination rights in relation to identified housing need.**

Reason: To achieve a satisfactory form of development.

- 08. Prior to the occupation of the development hereby approved an emergency access for the development shall be constructed in accordance with a detailed scheme to be submitted and approved in writing by the Local Planning Authority.**

Reason: To achieve a satisfactory form of development, in the interests of highway safety and the free flow of traffic.

- 09. Development shall not be commenced until details of the lighting columns, light colour and luminance, including the arrangements for the riverside and parking courts, have been submitted and approved in writing by the Local Planning Authority.**

Reason: To enable the Local Planning Authority to control details of the proposed development.

- 10. Notwithstanding the submitted information a Residential Travel Plan shall be submitted to the Local Planning Authority and approved in writing prior to commencement of the development. The Plans shall establish clear targets and procedures for monitoring and review of such targets and implementation timetable. The Plans shall be implemented as approved.**

Reason: In the interests of promoting sustainable travel and highway safety.

- 11. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority**

- 1. A desk study identifying:**
 - all previous uses**
 - potential contaminants associated with those uses**
 - a conceptual model of the site indicating sources, pathways and receptors**
 - potentially unacceptable risks arising from contamination at the site.**
- 2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.**
- 3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures**

required and how they are to be undertaken.

- 4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.**

Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: To protect controlled waters

- 12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.**

Reason: To protect controlled waters

- 13. Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.**

Reason: To protect controlled waters

- 14. No development shall take place until a scheme for the boundary treatment adjacent to the River Tees has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be completed in accordance with the approved plans prior to the substantial completion of the development.**

Reason: To protect and enhance the biodiversity and amenity value of the River Tees corridor.

- 15. Notwithstanding the submitted information details of the proposed riverside retention including calculations and maintenance shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. These works shall be completed in accordance with the approved scheme.**

Reason: To enable the Local planning Authority to control details of the development and to ensure that the riverside retention can support the adopted highway.

- 16. Finished floor levels shall be set at 5.1 m AOD plus 600m freeboard unless otherwise agreed in writing with the LPA.**

Reason: To reduce the risk from flooding.

- 17. The proposed development is situated within 250 metres of an old landfill site. No development approved by this permission shall be commenced until the site is investigated to determine the nature and extent of landfill gas. The site investigation and risk assessment report shall be carried out in accordance with Guidance on Evaluation of Development proposals on sites where methane and carbon dioxide are present [NHBC March 2007] and CIRIA document C659**

Any necessary remediation to be carried out in accordance with an approved method statement to be agreed in writing with the Local Planning Authority

Reason: To ensure the proper restoration of the site.

- 18. *No development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.***

Reason: In the interests of promoting sustainable development

- 19. *No development shall take place unless in accordance with the mitigation detailed within the protected species report, (An Extended Phase 1 and Protected Species Survey of Land at Boathouse Lane Stockton on Tees, E3 Ecology 21/11/2006).***

Reason: To protect and enhance the Biodiversity of the site.

- 20. *Development shall not be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space within the site by the developer, as part of the development, and such arrangements shall address and contain the following matters:***

- A) The delineation and siting of the proposed public open space***
- B) The type and nature of the facilities to be provided within the public open space***
- C) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development***
- D) The arrangements the developer shall make for the future maintenance of the Public Open Space***
- E) The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed under part C) above***

Reason: To enable the Local Planning Authority to satisfactorily control the development

- 21. *Details of all external finishing materials including roads and footpaths and all hard landscaped areas shall be agreed with the Local Planning Authority before the development is commenced.***

Reason: To reserve the rights of the Local Planning Authority with regard to these matters.

- 22. *Notwithstanding the provisions of classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.***

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based.

- 23. All means of enclosure including any requirement for earthwork retention and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Such means of enclosure, retention and street furniture as agreed shall be erected before the development hereby approved is occupied.**

Reason: In the interests of the visual amenities of the locality.

- 24. Notwithstanding the submitted plans a detailed scheme for landscaping and tree and/or shrub planting and grass including planting and construction techniques for pits in hard surfacing and root barriers shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is commenced. Such a scheme shall specify stock types, stock sizes and species, planting densities, inter relationship of planting, layout contouring, drainage and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar prior attained size and species 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.

- 25. A hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. Landscape maintenance shall be detailed for the initial 5 year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.**

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

- 26. Further details of the paving, lighting, and riverside fencing, footpath construction and materials relating to the Riverside Walkway and their future maintenance shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development. The works shall be carried out as approved prior to the substantial completion of the development.**

Reason: To enable the Local Planning Authority to control details of the proposed development and to satisfy safety criteria for a cycleway adjacent to open water.

- 27. Prior to the dwellings being occupied, facilities for secure and covered cycle parking shall be provided on the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such facilities will be retained for the purposes of parking cycles.**

Reason: To ensure adequate on site cycle parking facilities are provided

28. ***Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.***

Reason: To ensure that earth-moving operations, retention features and the final landforms resulting are structurally sound, compliment and not detract from the visual amenity or integrity of existing natural features and habitats.

29. ***No live entertainment or use of amplification equipment shall be permitted within the Restaurant curtilage unless evidence is provided to the reasonable satisfaction of the Local Planning Authority, to demonstrate that the Restaurant is adequately attenuated to prevent nuisance to local residents and the written confirmation of the Local Planning Authority has first been obtained.***

Reason: In the interests of safeguarding residential amenity

30. ***The opening hours of the Restaurant shall be solely between the hours of 8am and 11 pm and the premises and its curtilage shall be vacated outside that period.***

Reason: In the interests of the occupiers of the premises

31. ***Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.***

Reason: In the interests of the occupiers of the premises

32. ***Before the commencement of the development hereby permitted, a noise assessment and scheme for the protection of the proposed dwellings from noise from the adjacent commercial units shall be submitted to and approved in writing by the Local Planning Authority. All works, which form a part of such a scheme, shall be completed before any of the permitted dwellings are occupied.***

Such a scheme shall provide for acoustic fencing and mounding, acoustic double-glazing and mechanical ventilation to first floor bedrooms as necessary.

Reason: In the interests of the occupiers of the premises

33. ***Before the use commences, any living rooms or bedrooms with windows affected by railway noise levels in excess of 65 dB(A) (LAeq) (measured at a point 1 metre from the facade of any dwelling) between 07.00 and 22.00 hours or 60 dB(A) (LAeq) between 22.00 and 07.00 hours, the developer shall insulate the dwellings in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from rail traffic noise.***

Reason: In the interests of the occupiers of the premises

34. ***Details of a ventilation and fume extraction system, suitable for all hot takeaways uses within class A3, including a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment, to be installed and used at the Restaurant***

premises in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before the development hereby permitted commences and thereafter be retained in full accordance with the approved details. The ventilation and extract system shall be operated and maintained in accordance with the manufacturer's recommendations including the frequency of replacement of any filters.

Reason: To ensure a satisfactory form of development

56. The drainage system to the Restaurant premises shall be provided with a suitable grease trap so as to prevent the discharge of grease into the public sewer.

Reason: To ensure a satisfactory form of development

36. Prior to the commencement of development A Road Safety Audit in line with national guidance, should be undertaken in order to inform the Highway Authority on the safe operation of the proposed development, and shall be submitted to and agreed by the Local Planning Authority. The findings of the report will be implemented as approved.

Reason: In the interests of highway safety.

INFORMATIVE: Japanese knotweed is present on the site. It must be ensured that control measures are implemented in full accordance with the Japanese Knotweed Solutions Ltd report which forms part of the Planning Application in order to prevent the spread of an invasive plant species covered by the Wildlife and Countryside Act 1981.

Any diversion of Public footpaths will require relevant consent.

The proposal has been considered against the policies below and it is considered that there are no material considerations that indicate a decision should be otherwise.

Policies GP1, HO3, HO11 and EN17 of the adopted Stockton on Tees Local Plan.

THE PROPOSAL

1. The site is a prominent site with frontage to the River Tees and forms part of a larger site known as Boathouse Lane, an area characterised by industrial and basic commercial buildings with a large area now cleared. Boathouse Lane lies to the north of the A66 directly to the south of Stockton town centre, which is approximately 500 metres away. To the east are the banks of the River Tees. Directly to the south is the Surtees Rail Bridge.

2. The site itself occupies an area of approximately 1.88 hectares and currently comprises a mixture of hard standing, scrub areas, car parking and two large sheet metal clad warehouses and a small electrical sub-station. Directly to the north and east of the site are a number of existing commercial premises, including Speedy Hire and Arriva Bus Depot. The River Tees runs adjacent to the east of the site and a public footpath occupies the eastern boundary between the applicant's ownership and the riverbank. The Surtees Rail and Road Bridges form the southern boundary and to the west runs the 1825 Way (the A135 South Stockton Link Road (SSLR)). A site location plan is attached at Appendix 1.

3. This application seeks Outline planning permission for the site (with all matters reserved except for access, scale and landscaping) for the demolition of all existing buildings and its redevelopment for residential development including a restaurant, riverside walkway and emergency access.

4. The application is accompanied by an illustrative built form Masterplan and proposes the development of 118 new homes with a mix of units including 1,2,3 and 4 bedroomed properties in the form of townhouses, semi-detached and detached homes, apartments ranging in size from 1-3 bedrooms and studio/'1-pad'/starter units (an illustrative site layout and perspective views are attached at Appendix 2 and 3).

5. The proposal at this stage, does not set out a detailed design solution for the site as the application is in outline with all matters except means of access, scale and landscaping reserved for future consideration. However, in order to address the Local Planning Authority's concerns on the potential form and quality of the development, the illustrative built form Masterplan and Design and Access Statement provide a planning and design framework for development on the site. It is not intended as a prescriptive document but sets out a number of urban design principles that future developers would be expected to meet.

6. The illustrative drawings show a contemporary residential scheme ranging from 2-4 storeys in height (with the exception of the proposed taller landmark elements to the River Tees frontage). A sequence of character zones have been set out around the site and defined by a variety of treatments including corner blocks to provide positive statements throughout the development; specially designed units to contain the central open space and landmark buildings responding to key view points from the SSLR and River Tees.

7. The western part of the site is characterised by a series of 2.5 and 3 storey townhouses arranged into short terraces and semi detached forms. These units, together with higher 3 and 4 storey buildings towards the south west of the site present themselves to the SSLR. The central part of the site is characterised by an open space framed on all sides by buildings of between 2 and 4 storeys. This space is located midway between the riverside walkway and proposed Linear Park beyond the sites western boundary. To the eastern part of the site and on the river frontage a mixed-use apartment building with restaurant use at ground floor level will provide a focal point. The building is intended to rise to potentially 5-7 storeys. Generally, across the site, buildings will be of a domestic scale and mass. Three storey buildings will incorporate floors of a standard depth, with resultant eaves heights rising to around 8m. Taller 4 storey elements could rise to around 10.5-11m. The taller landmark elements rising to six storeys could potentially rise to around 16-17m.

8. The proposed scheme follows a 'home zone' layout format that has been designed with traffic-calmed routes through the area and an overall environment where other modes of transport are encouraged. Other design principles considered in the design and access statement are design of the new built development, pedestrian links, use of public art and the use of high quality hard and soft landscaping. It also provides guidance on surface materials and attention is given to the site layout principles.

9. Car parking is achieved generally within 'mews' type courtyards. The primary vehicular access is taken from Bridge Road with a second access link to the SSLR utilising a roundabout forming part of a previously approved scheme for residential development on the northern part of Boathouse Lane. An emergency access is proposed to run along part of the route of an existing access track which serves Network Rail. This could be realigned as part of the Linear Park providing access arrangements to Network Rail land is not compromised. Internal routes within the site will link the entrance from Boathouse Lane along the centre of the site to the western, southern and eastern boundaries and into car parking facilities. Access to the site is also provided for pedestrians on the riverside walkway, which includes facilities for cyclists, joggers with linkages to the '8 bridges' cycleway. The river frontage also incorporates a central pocket garden designed to provide views both down the river tees and through the development to the proposed Linear Park. Access to the river is encouraged with the desire to reclaim the waterfront and promote greater recreational use of the river including angling. A key element of the proposed scheme is a tree-

lined boulevard, which cuts across the area east west and provides a pedestrian link through the scheme and providing linkage between the River Tees and the proposed Linear Park.

10. The proposal also incorporates a mixture of public, semi-private and private spaces and overlooking will be carefully considered in the detailed design layout. The proposed Linear Park is a major structural landscape element providing a focus not only for potential residents but also for the wider community and will provide the opportunity to improve the appearance of the adjacent major transport corridor as well as provide a safe route towards the Town Centre for pedestrians and cyclists.

11. The application is accompanied by a Transport Assessment in order to satisfy the Council that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network.

12. The range of accommodation offers a wide variety of starter and family homes with a range of tenure forms. 15% affordable housing units are provided on site and will be designed to same specification and standard as the private market housing.

13. An acoustic assessment has been prepared to assess the existing noise environment and the mitigation measures that will be required in a residential scheme.

14. The application is accompanied by A Flood Risk Assessment which identifies that the site lies within zone 3 which require a minimum floor level and it is proposed that finished floor levels are consistent with this requirement.

15. An ecological survey has been undertaken which concluded that the body of the site is considered to be of low ecological value, containing a range of common habitats that would easily be replicated, and no evidence indicating the presence of protected species have been recorded during the surveys.

16. An archaeological assessment has also been undertaken which concluded that there is little potential for archaeological remains pre-19th century date to have existed within the site area, or for remains of a later date to have survived.

17. Contributions have been sought to fund school places should they be required as a result of the development; landscape treatment of the proposed Linear Park; improvement and provision of riverside cycleway/footway and public transport infrastructure to support sustainable links from the development to local facilities. A contribution towards the provision of public art has also been sought to enhance the public realm.

CONSULTATIONS

18. It should be noted that the applicant has undertaken consultation in accordance with the adopted Statement of Community Involvement. This involved sending a letter giving information of the site, the proposal and invite for consultee responses, to local residents, business, service providers and Government Agencies.

19. Local residents/businesses have been individually notified of the application and it has also been advertised on site and in the local press. The following Consultations were notified and any comments received are set out below: -

20. The Environment Agency

Environment Agency has no objections subject to conditions covering finished floor levels, land contamination, piling and foundations and river boundary treatment.

21. Urban Design

The outline application is acceptable in principle and takes into account links with the wider site as identified in the Consultation Draft Boathouse Lane Planning and Design Brief Supplementary Planning Document. January 2006.

Suggested Heads of Terms are given for financial contributions towards the wider Boathouse Lane development together with suggested wording for conditions that should be placed on any consent to enable a considered reserved matters application to be submitted. Further detail is given below:

Highways Comments

Transport Assessment

The proposal is to replace the existing industrial units with a mixed scheme incorporating residential and a pub restaurant. In traffic terms there will be a net reduction in traffic in the morning peak and a small increase in the evening peak. A comparative assessment at the Bridge Road/boathouse Lane/Chandlers Wharf and 1825 Way/Bridge Road junctions has been undertaken. The assessment indicates that both South Stockton Link Road (North) and Bridge Road (Left turn) operate well overcapacity in the evening peak. Considering the impact of the development comparatively with the base scenario there is no change in degree of saturation or queue on South Stockton Link Road (North), whilst the degree of saturation is unchanged on Bridge Road (Left turn), the queue increases by only 1pcu. When an approach is overcapacity the degree of saturation is considered to be a more reliable indicator than queues. The degree of saturation is unchanged on Bridge Road (Left turn). The assessment indicates that there would not be a significant material impact as a result of the proposals.

A Travel Plan has been produced by the applicant. However at present it does not fully comply with the requirements of a Travel Plan. The production of an acceptable Travel Plan should be a planning condition.

Measures to improve sustainability should be secured. The measures could include bus stops, with shelters and real-time information displays.

The drawings accompanying the application do not indicate an acceptable tie-in from the proposal to the existing line of Boathouse Lane. The majority of units within the site are accessed from residential courts forming cul-de sacs. There are some issues with the internal layout, which include how do service vehicles access some of the cul-de-sacs and whether the turning heads provided are sufficient to accommodate service vehicles, together with the arrangement of parking spaces. Internal landscaping arrangements on the south side of Tees View Boulevard would restrict visibility particularly for vehicles from South Court and Boathouse Green. Any landscaping arrangement should ensure satisfactory visibility is maintained. The application does not include siting and therefore these issues could be addressed as part of the reserved matters application.

Car parking should be in accordance with the Council's Supplementary Document 3: Parking for New Developments and will be looked in detail at reserved matters stage.

Highways

The development shall not commence until the means of vehicular/pedestrian access from the public highway has been submitted to and approved in writing by the LPA. These works will be subject to a S38 Agreement.

Reason: To confine access to the permitted points in the interests of good management of the highway and to minimise the number of vehicle accesses onto the highway in the interests of free flow of traffic and safety of highway users.

External Surface Finishes

Notwithstanding the surfaces detailed in the Design and Access Statement, the development shall not commence until the means of external finishing materials of all hard landscaped areas including roads and footpaths has been submitted to and approved in writing by the LPA.

Reason: To enable the LPA to control details of the proposed development, and to improve the appearance of the site in the interests of visual amenity.

Riverside Retention

The development shall not be commenced until the details of the proposed riverside retention including calculations have been approved in writing by the LPA. These works will be subject to a S38 Agreement.

Reason: To enable the LPA to control details of the proposed development and to ensure that the riverside retention can support the adopted highway.

Riverside Cycleway

Notwithstanding the submitted information, the cycleway/footpath shall be constructed in materials to match that of the 8 Bridges Cycleway (the first phase of which had been completed between the Princess Diana Bridge and the Millennium Bridge). Further details location of the paving, lighting, and riverside fencing/handrail, construction and materials relating to the Riverside Walkway shall be submitted to and been approved in writing by the LPA prior to the commencement of development. The works shall be carried out as approved prior to the substantial completion of the development. These works will be subject to a S38 Agreement.

Reason: To enable the LPA to control details of the proposed development and to satisfy national safety criteria for cycleway adjacent to open water.

Existing and Proposed Levels

Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details.

Reason: To ensure that earth-moving operations, retention features and the final landforms resulting are structurally sound, compliment and not detract from the visual amenity or integrity of existing natural features and habitats.

Emergency Access

Prior to the occupation of the development hereby approved an emergency access for the development shall be constructed in accordance with a detailed scheme to be submitted and been approved in writing by the LPA.

Reason: To achieve a satisfactory form of development, in the interests of highway safety and the free flow of traffic.

Cycle Shelters

Prior to the dwellings being occupied, facilities for secure and covered cycle parking shall be provided on the site in accordance with a scheme to be submitted to and approved in writing by the LPA. Such facilities will be retained for the purposes of parking cycles.

Reason: To ensure adequate on site cycle parking facilities are provided

Lighting

Development shall not be commenced until details of the lighting columns, light colour and luminance, including the arrangements for the riverside and parking courts details been submitted to and approved in writing by the LPA

Reason: To enable the Local Planning Authority to control details of the proposed development.

Travel Plan

Notwithstanding the submitted information a Residential Travel Plan shall be submitted to the Local Planning Authority and approved in writing prior to commencement of the development. The Plans shall establish clear targets and procedures for monitoring and review of such targets and implementation timetable. The Plans shall be implemented as approved.

Reason: In the interests of promoting sustainable travel and highway safety

Stage 1 Safety Audit

A Stage 1 Safety Audit should be undertaken in line with national guidance in order to inform the Highway Authority on the safe operation of the proposed development.

Reason: To achieve a satisfactory form of development, in the interests of highway safety and the free flow of traffic.

Landscape & Visual Comments

Soft Landscape Proposals

The submitted landscape strategy is acceptable in principle but as changes to the outline layout will be inevitable as part of the reserved matters application changes to the landscape scheme will be required to be approved. Therefore, notwithstanding the submitted plans a detailed scheme for the landscaping of the development site excluding the Linear Park including tree and/or shrub planting and grass, specifications for planting and construction techniques for pits in hard surfacing and root barriers shall be submitted to and approved in writing by the LPA before the development authorised or required by this permission is commenced. Such a scheme shall specify stock types, stock sizes and species, planting densities, inter relationship of planting, layout contouring, drainage and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar prior attained size and species unless the LPA gives written consent to any variation.

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

On Site Public Open Space

Development shall not be commenced until the LPA has approved in writing the details of arrangements for the setting out of the Public Open Space within the site by the developer, as part of the development, and such arrangements shall address and contain the following matters:

- A) The delineation and siting of the proposed public open space;
- B) The type and nature of the facilities to be provided within the Public Open Space (POS);

- C) The arrangements the developer shall make to ensure that the POS is laid out and completed during the course of the development;
- D) The arrangements the developer shall make for the future maintenance of the POS. It is noted that should the developer wish to seek Title Transfer of the POS to the Council then the developer at Reserved Matters stage will be required to enter into separate discussions with the Council to agree a further commuted lump sum figure to pay for the on going maintenance;
- E) The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed under part C) above.

Reason: To enable the Local Planning Authority to satisfactorily control the development.

Maintenance

A hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens and the Linear Park, shall be submitted to and approved by the LPA prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. Landscape maintenance shall be detailed for the initial 5 year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

Enclosure

All means of enclosure including any requirement for earthwork retention and street furniture associated with the development shall be submitted to and approved in writing by the LPA before the development commences. Such means of enclosure, retention and street furniture as agreed shall be erected before the development hereby approved is occupied.

Reason: In the interests of the visual amenities of the locality.

Built Environment Comments

The development shall be implemented in general conformity with the approved "Illustrative Built Form Masterplan" and Design and Access Statement submitted with the planning application unless otherwise agreed in writing by the Local Planning Authority. Nothing in this consent shall be construed as authorising the illustrative details submitted with the application other than the means of access and scale for which approval was sought.

Reason: To ensure that the Reserved Matters for the appearance and layout to be submitted are in accordance with the approved Design and Access Statement and to enable the Local Planning Authority to satisfactorily control the development.

SUGGESTED HEADS OF TERMS

Public Transport

A commuted lump sum of £22,000 for the provision of public transport infrastructure.

Linear Park

A commuted lump sum of £87,000 by way of a contribution towards improvements to land adjacent South Stockton Link Road.

Off Site Cycleway/Footpath

The Consultation Draft Boathouse Lane Planning and Design Brief Supplementary Planning Document. January 2006 proposes a cycleway/footpath link between the wider boathouse lane development site and North Bowesfield. This will require the construction of an adopted Cycleway/Footpath between the two sites. The route will follow the River Tees and be constructed below the existing rail and road bridges. With the exception of designing the linkage no physical works are unlikely to commence on site until the final development plot on Boathouse Lane is commenced on site.

A commuted lump sum of £15,200 for improvements to the riverside footpath/cycleway including river retention as required.

Trees and Soft Landscaping in Adopted Highway

All highway infrastructure including roads, footways, drainage and verges will generally be adopted on satisfactory completion of the maintenance period without charge. In the case of trees and soft landscaping illustrated in this application a commuted sum covering maintenance costs over and above those which may normally be encountered will be required. It is assumed for the purposes of the calculations that all trees that are to be planted in adopted highway are to be planted in the grass verge. Any trees that are to be planted in adopted hard surfacing the tree shall be placed in an appropriate tree grill / porous resin surrounds and protected by metal tree guards Detail to be agreed with SBC. These features shall have a minimum design life of 25 years. Should the items have a shorter life expectancy the Council will require commuted lump sums to cover replacement of these features for a 25 year period to ensure that failure of the street furniture does not compromise road safety. This clause shall apply equally to any street furniture which is to be placed in the highway.

A commuted lump sum calculation for the maintenance of trees in the adopted highway will be agreed with the LPA.

Public-Art

A 'percent for art' contribution is to be agreed under the Head's of Terms. This Public Art could take the form of bespoke street furniture / fencing / interpretation signage or a piece of artwork that promotes the Stockton's rich Cultural Heritage. The adjacent 1825 Way runs along the track bed of the historic Stockton to Darlington railway line.

A commuted lump sum of 1% based on the average cost per residential dwelling towards Public Art.

22. Natural England

The assessment of this proposal is based only on the impacts on the area covered by the survey (i.e. the principal development area). As such, Natural England advises that the above proposal is unlikely to have an adverse affect in respect of species especially protected by law, subject a condition covering mitigation detailed within the protected species report. However if the area directly adjacent to the river is subject to any development, the boundary of the Protected Species Survey should be extended, and a full assessment of this strip of land should be made. (The applicant has had carried out an independent Ecological survey which identified that there are no identifiable disturbances of any protected species).

23. Tees Archaeology

Thank you for the details of this planning application and its supporting archaeological assessment. I agree with the conclusion to the report that no further archaeological works are required. I therefore have no objection to the planning application and no further comments to make.

24. Northern Gas Networks

No objection and standard mains record enclosed.

25. Highways Agency

The development is predicted to reduce overall vehicle trips by 20 during the AM peak and increase vehicle trips during the PM peak, and whilst no further information in relation to the suitability of the distribution has been provided this level of residual trips is not considered to result in any material impact on the strategic highway network.

Whilst a matter primarily for the local planning authority we have undertaken an initial review of the submitted Travel plan and would make the following comments. The new Guidelines for Transport Assessment places more emphasis on the travel Plan and the requirement to influence travel behaviour and that these should be used to then inform the modal shift assumed in the Transport Assessment.

It is noted that the Travel plan does not propose to appoint a Travel Plan Co-ordinator (TPC) in order to implement the individual measures in the plan. The TPC acts as the promoter of the Travel plan and will assist in securing its implementation, as well as being the key contact point for residents and other people who use the site. Without a TPC it is considered that the effectiveness of the Travel Plan could be diluted over time and ongoing management and promotion is considered to be essential.

It is noted that a “welcome pack” for residents will be issued and this is something that can assist in meeting the aims of the Travel plan. However, the Travel plan and its associated benefits should also be made aware to prospective buyers.

We would therefore not wish to offer any objection to the planning application, although as mentioned above we would wish to restate our comments regarding the submitted Travel Plan.

26. British Waterways

Given the site's current mix of industrial/commercial uses, British Waterways has no objection to the principle of this development.

The document 'River Tees Navigation Strategy – February 2002' prepared by British Waterways for English Partnerships, One North East and Stockton-on-Tees Borough Council highlights the importance of the riverside areas as a leisure resource. The proposed development incorporates key aims of this document by improving access to the waterway through improved pedestrian linkages and the installation of angling platforms within an attractive landscaped setting.

27. Environmental Health Unit

No objection subject to conditions covering noise, odour nuisance, drainage, smoke free and contamination.

28. North East Assembly

The threshold for consulting the NEA on housing development is 150 dwellings, or sites over 5 hectares. Therefore, the NEA will not be submitting a formal response to assess the conformity of the development proposal with regional planning policy.

29. Network Rail

No objection in principle to the development, however due to its close proximity to the operational railway; we would request that the following points are taken into account if granting the application, including drainage; operational use of cranes and other plant; excavations and works compounds; security of railway boundary; boundary treatment; approval prior to works commencing on site; construction and future maintenance; tree planting and new lighting requirements.

30. CE Electric UK

Standard mains records shown.

31. Northumbrian Water Limited

The application has been examined and Northumbrian Water has no objections to the proposed development.

32. The Ramblers Association

We thank the council for consulting the Ramblers' Association on the proposed development (letter dated 10/8/07). We note that the footpath (Stockton 01, the Teesdale Way) will be repositioned and (from the drawing pod-sw-o-001-10-03) its width will be increased to about 3.5 m. We also note that an order will be required effect diversion of the path to allow development to proceed should permission be granted.

33. One North East

I confirm that the proposal does not fall within criteria A to J of the notification criteria which were sent to Local Authorities in October 2005. However, in view of the location of this development, forming part of the Boathouse Lane site and being positioned within the 'Southern Gateway' the application is considered to be of sub-regional strategic importance and has been taken for consultation purposes by the Agency under Criterion K: Notwithstanding the above criteria, which are intended as guidance for Local Planning Authorities, the Agency will be required to be consulted upon any application which may have regional or sub regional significance.

The following comments reflect the view of ONE acting in its role as statutory consultee. As such they are provided only in accordance with the provisions of the above regulations and relate to the effects that the proposals are considered to have upon the Regional Development Agency's strategic regional investment or employment policies.

It is understood that the Boathouse Lane Planning and Design Brief was adopted in June 2006, and that the proposal is in accordance with the principles of the adopted brief.

The Agency notes the applicant's intentions towards achieving a high quality form of development for the site, and welcomes the aspirations in respect of seeking to ensure the generation of 10% of electricity from renewable energy sources in line with Government objectives.

I can confirm that the Agency would welcome the opportunity to comment upon the design specifics of the proposal at reserved matters stage.

34. Arriva N E Limited

I note the proposals for this site and, due to the nature of our business, we do have some concerns as the buses run out early in the morning and return late into the evening along with the associated activity that this brings about. Inevitably the operations cause noise etc that could have repercussions if the residential elements of the site are situated too close to the depot, or the

appropriate acoustic and visual screening is not adequate. I would stress that we would object to any proposals which could interfere with the operations at our Stockton depot.

PLANNING POLICY

35. 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).

36. In respect of housing, the Tees Valley Structure Plan reflects national and regional guidance. The strategy adopted in the Tees Valley Structure Plan is one of sustainable urban growth with the majority of new development taking place on previously developed land within urban areas or along public transport corridors on the edge of the main built-up areas. The Structure Plan also supports the need for increased residential densities and the provision of affordable housing as appropriate.

Planning Policy Statement 3: Housing seeks to secure mixed communities with developments incorporating both affordable housing and appropriate levels of housing. Requires housing to be responsive to local need, and designed to a constantly high standard responding to local distinctiveness and reflect wider environmental and sustainability considerations.

Planning Policy Guidance Note 13: Transport seeks to integrate planning and transport by reducing the reliance on the motor car, encouraging the use of more sustainable transport choices, reduce the need to travel, and promote accessibility to jobs, shopping, leisure facilities and services by public transport, cycling and walking.

The Tees Valley Structure Plan does not contain any policy applicable directly to the application site. In general terms however the Structure plan is based on a strategy to ensure that most new development takes place within or on the edge of the main urban areas together with regeneration of rundown, urban areas.

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 HO3

Within the limits of development, residential development may be permitted provided that:

- (i) The land is not specifically allocated for another use; and
- (ii) The land is not underneath electricity lines; and
- (iii) It does not result in the loss of a site which is used for recreational purposes; and
- (iv) It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- (v) It does not result in an unacceptable loss of amenity to adjacent land users; and

(vi) Satisfactory arrangements can be made for access and parking.

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.

Policy EN17

Within the Urban Development Area, land is allocated at the following sites as appropriate for a range of uses including industry, commerce, housing, sport, recreation, tourism and education:

c) Boathouse Lane, Stockton.

Supplementary Planning Guidance 4 (SPG 4) is concerned with high-density development. The SPG develops the themes set out in it to ensure that flats are built in appropriate locations, are well designed, and add value to the housing stock of the Borough. The guide does not seek to put a blanket ban on flats being built, nor encourage an 'anything goes' policy, but gives guidance to developers about what the Council expects them to produce, as well as to inform the public how and why decisions are made.

MATERIAL PLANNING CONSIDERATIONS

37. The main considerations of this application relate to the impact of the proposed development on the locality in terms of the acceptability of the proposed development on this site, the relationship and impact on future development, vehicular access and highway safety and whether it satisfies the requirements of the Local Plan Policies and Government Guidance.

Acceptability of the proposed development and relationship and impact on future development

38. National Planning Policy guidance seeks to encourage the efficient re-use of previously developed land within existing urban areas in addition to reducing the need to travel and reinforcing the local economy and community.

39. Policy EN17 of the adopted Local Plan highlights part of the Boathouse Lane area as derelict and underused. The adopted policy also encourages the reclamation and re-use of the site and recognises the sites potential for improving the image of the Borough.

40. The application site is previously developed land and within a major urban area and as previously stated is the subject of a SPD, which has been prepared by the Council to guide future development on the Boathouse Lane area, which includes the application site. The key objectives of the document are:

- To ensure the appropriate, comprehensive redevelopment of a key River Tees corridor site within the wider context of the Stockton Middlesbrough Initiative;
- To create a Gateway into the town centre, including a regionally - significant landmark building;
- To create a diverse, attractive and exciting place to live work and visit;
- To ensure high quality urban design, which maximises the potential use of the water frontage location;

- To protect and enhance the natural and historic environment;
- To improve linkages with surrounding land uses.

41. The SPD is a material consideration in the determination of any planning application(s) received by the Council and sets out the Council's aspirations for the area. The document also seeks to clarify planning parameters within which developers can explore options. Consideration must therefore be given as to whether development of the application site in the manner proposed would sufficiently harm the proper planning and comprehensive redevelopment of the area.

42. The proposal is considered to be broadly in line with the above-mentioned key objectives and general planning policies set out in the Development Plan. It is considered that residential development would be consistent with the SPD and subject to careful layout and design in latter stages, is considered acceptable and accords with Local Plan policies GP1 and HO3.

Site Characteristics

43. The site is located within the development limits. Policy HO3 of the local plan indicates that residential development within the limits of development is acceptable provided it meets a number of criteria.

44. The indicative residential layout incorporates a mix of houses and apartments and the accompanying illustrative Masterplan plan and design and access statement identifies a clear hierarchy of building types and palette of materials which offer an opportunity to provide a satisfactory form of development reflecting the characteristics and importance of a key riverside site.

45. The site is approximately 2 hectares and with the proposed 118 dwellings equates to a density of approximately 63 dwelling per hectare within the guidelines advocated by Planning Policy Statement 3: Housing (PPS3), which suggests that development should be at a density of at least 30 dwelling per hectare net in order to make the most efficient use of the available land. The application site is considered a sustainable location as it lies within close proximity to Stockton Town Centre and, is on various bus routes and within walking distance of Thornaby railway station. The proposal involves the re-use of existing brownfield land for housing to provide a mix of dwellings including affordable housing and fully accords with national policy that encourages the reuse of previously developed land.

46. The indicative layout has been designed to ensure that adequate distances are met and designed to negate any overlooking and it is considered that the site could satisfactorily accommodate a residential scheme of the type and nature proposed.

47. The proposed development also includes the provision of an element of affordable housing in accordance with national policy.

48. The SPD proposes a linear park for the boundary with the SSLR, which would also perform as an environmental buffer providing a green wedge. A contribution is being sought for the improvement of this area through the Section 106 Agreement alongside a contribution towards the extension of the Riverside walkway under Surtees Bridge.

49. The provision of a restaurant accords with the SPD which envisages a mixed use residential scheme including a restaurant.

50. In terms of the provision of apartments SPG 4 sets out the Council's sequential criteria based approach to assessing an appropriate location for apartments. In terms of location the proposed development is within the limits to development, on previously developed land and in close

proximity to Stockton Town Centre and good public transport facilities and thus accords with the guidance and the general principles set out in PPS3.

51. The accompanying design and access statement sets out a number of options to reduce energy consumption for both the construction phase and the operation of the development highlighting a number of energy efficiency measures and the potential inclusion of photovoltaics. In order to fully reflect the objectives of regional planning policy, the development proposals should have embedded within them a minimum of 10 percent of their energy from renewable energy sources. It is proposed to secure this through a planning condition.

Means of Access and Traffic Issues

52. The application is accompanied by a Transport Assessment in order to satisfy the Council that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network. Primary access is indicated from Bridge Road with a second access link to the SSLR utilising a roundabout forming part of a previously approved scheme for residential development on the northern part of Boathouse Lane. Access through to the proposed Linear Park and future access under the Rail and Surtees Road Bridge will also increase levels of pedestrian connectivity. The access arrangement has been examined by the Head of Technical Services and is satisfied with the proposal.

53. Submitted with the planning application is a Residential Travel Plan which seeks to minimise single occupancy car journeys by encouraging residents of the new development to use more sustainable modes of transport, e.g. walking, cycling, public transport and car sharing. This approach is consistent with the objectives of regional planning policy. A contribution is being sought for the provision of a real time bus shelter for Bridge Road through the Section 106.

54. The level and detailed parking arrangements will be considered at the reserved matters stage taking account of the proximity of the site to the town centre and access to nearby public transport facilities and Local Planning Authority standards. It is considered that the site can satisfactorily accommodate the level of development proposed.

55. Access to the site is also provided for pedestrians on the riverside walkway with conditions attached to control its treatment.

Educational Requirements

56. The applicant has indicated that they will enter into a Section 106 Agreement to provide a financial contribution for the additional primary school places should they be required which is acceptable to the Planning and Policy Officer in Education.

Noise

57. The applicant has undertaken an assessment of the likely noise impact of surrounding uses on the proposed residential development. The Environmental Health Manager has considered the proposal and planning conditions to provide sound attenuation to the properties likely to be affected have been attached. Given the controls available, it is considered that the proposal does not conflict with Local Plan Policies GP1 and HO3 in this respect.

Contamination

58. These matters are addressed in the Environmental Survey Report. Planning conditions are attached requiring remediation works and to implement any engineering measures to facilitate

development of the site based upon those findings. The Environment Agency has no objection to the proposal subject to appropriate controlling conditions.

CONCLUSION

59. It is considered that the principle of residential development is acceptable in this location. Overall the nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the residential proposal. The proposed access satisfies the requirements of Head of technical Services and the proposal is in accordance with relevant planning policy and guidance and is therefore recommended for approval with conditions.

Corporate Director of Development and Neighbourhood Services

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Financial Implications – As report

Environmental Implications – As report

Community Safety Implications – As report

Background Papers – Stockton on Tees Local Plan, SPG 4, Adopted Boathouse Lane Planning and Design Brief, PPS 3, PPG13.

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

Ward Stockton Town Centre

Ward Councillors Councillor D. W. Coleman, Councillor P. Kirton