

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 12th DECEMBER 2007

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

07/2582/FUL

Cheltenham Road, Portrack, Stockton on Tees

Mixed development of B1, B2 and B8 units including associated external works and footpath diversion.

Expiry Date 17 December 2007

SUMMARY

The application site is situated to the north of the existing commercial and industrial activities of Portrack Lane. The A19 runs along the northern and eastern edge of the site, Holme House prison lies to the west whilst other commercial/industrial units lie to the south of the site.

Planning consent is sought for the erection of a mixed development of B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) uses. The proposed development will provide a range of units ranging between two and four storey's in height.

RECOMMENDATION

Planning application 07/2582/FUL be approved subject to the following conditions;

- 01 *The development hereby approved shall be 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>0540/012G</i>	<i>4 September 2007</i>
<i>0540/022P</i>	<i>17 September 2007</i>
<i>0540/031C</i>	<i>4 September 2007</i>
<i>0540/032C</i>	<i>4 September 2007</i>
<i>0540/033B</i>	<i>4 September 2007</i>
<i>0540/034C</i>	<i>4 September 2007</i>
<i>0540/039</i>	<i>4 September 2007</i>
<i>0540/040</i>	<i>4 September 2007</i>
<i>0540/045B</i>	<i>4 September 2007</i>
<i>0540/046B</i>	<i>4 September 2007</i>
<i>0540/049B</i>	<i>4 September 2007</i>
<i>0540/051</i>	<i>4 September 2007</i>

0540/053	4 September 2007
0540/054A	4 September 2007
0540/055A	4 September 2007
0540/056A	4 September 2007
0540/060	4 September 2007
0540/061	4 September 2007
0540/062	4 September 2007
0540/063	4 September 2007
SBC0001	4 September 2007
SBC0002	4 September 2007
SBC0003	4 September 2007
SBC0004	4 September 2007

Reason: *To define the consent.*

- 02** *Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).*

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

- 03** *No development shall take place until the Local Planning Authority has approved in writing 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: *To limit the energy requirements of the development in accordance with the emerging Regional Spatial Strategy, PPS1 Delivering sustainable Development, PPS22 Renewable Energy and emerging government guidance on climate change.*

- 04** *Before the occupation of the development hereby permitted, works for the disposal of sewage shall be provided on the site to serve the development. Details of such drainage works shall first be submitted to, and approved by, the Local Planning Authority; the sewage disposal shall be completed in accordance with these approved details.*

Reason: *To ensure satisfactory means of sewage disposal.*

- 05** *The development shall not be occupied until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.*

Reason: *To achieve a satisfactory form of development.*

- 06** *Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings 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.

- 07 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.**

Reason: To prevent pollution of the water environment.

- 08 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.**

Reason: To prevent the increased risk of flooding

- 09 Floor levels should be set no lower than 5.0 metres above Ordnance Datum.**

Reason: To protect the development from flooding

- 10 Development shall not commence until details of a safe exit route, not adversely affecting the flood regime, to land outside the 1 in 100 year flood plain, are submitted to and agreed in writing by the Local Planning Authority. This route must be in place before the occupancy of the building(s).**

Reason: To provide safe access and egress during flood events and reduce reliance on emergency services.

- 11 Prior to the commencement of any works on site, a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided in accordance with details previously submitted to and approved in writing by the LPA. The approved scheme shall be retained throughout the construction period.**

Reason: To prevent pollution of the water environment.

- 12 The commencement of the development authorised by this permission shall not begin until:**

a. The Local Planning Authority has approved in writing a full scheme of works of improvement to:

(i) The Portrack Lane/Haverton Hill Road/Cheltenham Road junction to accommodate development flows

(ii) the Holme House roundabout

(iii) A separating island between the ahead and right lanes with appropriate signals at the Haverton Hill approach road.

and

b. the approved works have been completed in accordance with the local planning authority's written approval and have been certified in writing as complete on behalf of the Local Planning Authority; unless alternative arrangements to secure the specified works have been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety

- 13** *Notwithstanding any information submitted as part of this application a green travel plan shall be submitted to and approved in writing with the Local Planning Authority prior to the occupation of the development. The travel plan shall include measures to reduce the dependence and reliance of the private motor car and include mitigation measures should targets set for 5 years from development being occupied not be met.*

Reason: To ensure a satisfactory form of development.

- 14** *Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (eg incidental buildings, public art and street furniture).*

Reason: In the interests of visual amenity.

- 15** *Notwithstanding any description submitted as part of the application a detailed scheme for landscaping including tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is occupied. Such a scheme shall specify types and species, layout contouring 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. 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 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.

- 16** *Prior to occupation of the hereby approved development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and be carried out in accordance with the approved schedule.*

Reason: In the interests of amenity and the maintenance of landscaping features on the site.

- 17** *All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the*

development commences. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.

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

18 Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

19 Details of all external lighting of the buildings and car-parking areas shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. Before the use commences, such lighting shall be shielded and aligned to avoid the spread of light in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and thereafter such lighting shall be maintained to the same specification and adjusted, when necessary, to the satisfaction of the Local Planning Authority.

Reason: To avoid light pollution in the interests of the visual amenities of the area.

20 Notwithstanding any information contained within this application full details of the covered cycle storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.

Reason: To ensure a satisfactory form of development.

21 Notwithstanding any information contained within this application full details of the Bin storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.

Reason: To ensure a satisfactory form of development.

22 No waste products derived as a result of carrying out the development hereby approved shall be burned on the site except in a properly constructed appliance of a type and design previously approved by the Local Planning Authority.

Reason: In the interests of the amenities of the area

23 A survey of the site shall be conducted to test for the presence of landfill gas within the existing ground. The results of this survey shall be submitted to the Local Planning Authority and written agreement shall be reached over any gas monitoring or control measures, which may need to be exercised.

Reason: To reserve the rights of the Local Planning Authority to agree these details to ensure the proper restoration/development of the site.

24 No Development hereby approved shall commence on site until a Phase 1a+b desk study investigation to involve hazard identification and assessment has been carried out, submitted to and approved in writing by the Local Planning Authority. The study must identify industry and geologically based contaminants and include a conceptual model of the site. If it is likely that contamination is present a further Phase 2 site investigation scheme involving risk estimation shall be carried out, submitted to and approved in writing by the Local Planning Authority prior to any development hereby approved commences on site.

Reason: To ensure the proper restoration of the site.

25 *No development hereby approved shall commence on site until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. No Development hereby approved shall commence until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance which will be carried out in accordance with the requirements of the report.*

Reason: To ensure the proper restoration of the site.

26 *Any dust emission from material less than 7.5mm in diameter, stored, loaded or transported externally, shall be prevented by covering, sheeting or water suspension.*

Reason: In the interests of the amenities of the neighbouring occupiers.

27 **The hereby approved café unit shall not be open for business outside the hours of 8am-6pm Monday - Saturday and at no times on a Sunday/Bank Holiday Monday.**

Reason: To define the consent.

CONSULTATIONS

The following Consultations were notified and any comments received are set out below:-

Urban Design - Landscape

I have commented previously with regard to the "construction of estate roads including footpaths and cycleways" Ref 07/1818/FUL. At that stage I considered there was insufficient information, and that further was required to permit detailed comments. Note was made in particular of existing trees (within hedgerows) which merited retention.

- This detailed full site application Ref 07/2582/FUL does not make reference to any trees being removed; however the drawings and documents submitted do not note the retention of any of those existing.

- The D and A statement proposes a broad treatment of soft and hard landscaped areas but with no specific detail design I cannot comment further.

- There is no detailed design Masterplan and palette to inform the type of materials, or specific examples, maintenance or management. I would therefore request that this detail is provided at the earliest opportunity.

Full hard and soft landscape details should be provided to the following minimum standard:

- A detailed landscape plan indicating proposals for hard construction indicating materials and construction methods.
- Detailed treatments of the enclosures to all boundaries.
- A detailed planting plan indicating soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.

- I note that hedgerows may be part of the development, of a native and ornamental basis, to include trees, the locations of these and other planting blocks should be provided at the earliest

opportunity. Block planting of small wooded areas would help to reduce the scale of the new buildings, integrating it into the immediate area.

- I am concerned as to the detailing to the bridleway around the western part of the site, and would appreciate respective cross sections to show planting and embankments and demonstrate how these would safely work for users.

Built Environment Comments

No comments.

Urban Design - Engineers

General Summary

Interim response from Urban design, further comments will be sent in due course.

Highways Comments

The areas that need further clarification or consideration are as follows:

- There are some discrepancies in the floor areas referred to in the various reports that have been submitted, however the floor areas adopted in the assessment are in excess of the areas referred to in the planning application and the land uses assumed in the report result in a robust assessment of the development traffic;
- Whilst the measures to influence travel behaviour have been included in the Transport Assessment further details of these measures should be included in the final version of the Travel Plan for the site;
- Further details of the locations of the development sites included should be provided in order to ensure that the trips removed from the proposed development traffic generation would in fact impact on the network under considered in the assessment.
- The methodology adopted by WSP for the traffic growth of background traffic on the local road network is accepted, however the methodology adopted for growth of traffic on the trunk road network is not considered acceptable. Whilst the methodology adopted is not considered acceptable the difference in trips as a result of the methodology adopted is not considered significant and the traffic flows that have been adopted are considered acceptable for the purposes of this assessment;
- The results of the operational assessments for Cheltenham Road and Portrack Interchange need to be revised with committed development traffic for the Queens Park development added. The assessments should demonstrate that the proposal operates within acceptable levels and is no worse off;
- The impact of the development at North Shore Gyratory should be reviewed. It is not accepted that all traffic travelling towards Maritime Road will avoid the gyratory;
- The Interim Travel Plan that has been submitted is generally considered satisfactory although the report will need some amendments in order to provide some more details of the measures being proposed; and
- The Travel Plan should also outline a strategy to address any failure to meet the targets set out in the Travel Plan. The comments made above regarding the Travel Plan should be addressed before the Travel Plan is considered acceptable in order to deliver the trip reductions assumed in the Transport Assessment.

Further information regarding the above has been received and is being considered and initial views are the details are acceptable, an update will therefore be provided.

Parking provision should comply with SBC Parking Provision for New Developments as detailed in 'Supplementary Planning Document 3: Parking Provision for New Developments, November 2006'.

As highlighted above there is a discrepancy regards the floor space for each proposed land use. The current layout indicates 622 parking spaces.

Office (B1) – 18,394 sqm – 1 space / 35 sqm – 526 spaces

Industrial (B2) – 4,867 sqm – 1 space / 45 sqm – 109 spaces

Warehouse (B8) – 4,753 sqm – 1 space / 100 sqm – 48 spaces

Considering the minimum aggregate floor space realises 683 spaces should be provided, thus the proposal is 61 spaces less than the minimum standard. However, given the size and variety of uses contained within the proposal, it is safe to assume that parking demand and turnover between uses will overlap and that the full minimum provision will not be required. Therefore, the minimum provision of 622 spaces is acceptable.

The development should be designed and constructed in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) current edition, the applicant will therefore be required to relocate the proposed access for lands opposite Unit A. It is also noted that the turning head is sub standard in both length and width, although it is possible that this turning area is likely to be further developed, so this would not require amending although confirmation of this is required.

The public right of way as denoted in the plan is currently going through the legal process to be diverted. A S106 contribution is required to upgrade this new route to a surfaced footpath to accommodate walkers and cyclists during wet weather conditions and leave the other half as a bridleway.

Highways Agency

We have reviewed the Transport Assessment and Travel Plan prepared by WSP and would summarise our findings as follows:

- ❑ Whilst the measures to influence travel behaviour have been included in the Transport Assessment further details of these measures should be included in the final version of the travel plan for the site.
- ❑ Further details of the locations of the developments that will be covered by the Area Wide Travel Plan Co-ordinator should be provided in order to ensure that traffic from all sites will affect the network being considered and result in the proposed level of trip reduction.
- ❑ The Queens Park committed development has not been included in the assessment of the Portrack Interchange and the modelling should therefore be re-visited to include this.
- ❑ The interim Travel Plan that has been submitted is generally considered satisfactory although the report will need some amendments in order to provide some more details of the measures being proposed. The Travel Plan should also outline a strategy to address the failure to meet the targets set out in the Travel Plan. The comments made above regarding the Travel Plan should be addressed before the Travel Plan is considered acceptable in order to deliver the trip reductions assumed in the Transport Assessment.

I trust that the above comments are satisfactory, however, if you require any additional information please do not hesitate to contact me.

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 conditions be imposed on the development should it be approved.

- ❑ Open Burning
- ❑ Dust Emissions
- ❑ Landfill Gas
- ❑ Possible land contamination

Health and Safety Executive

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

The Environment Agency

The Agency has no objections in principle, to the proposed development but recommends that if planning permission is granted the following planning conditions are imposed;

- ❑ Surface water limitation run-off
- ❑ Finished floor levels
- ❑ Safe exit route to land outside 1 in 100 year flood plain
- ❑ Oil Interceptor to parking areas
- ❑ Settlement facility
- ❑ Storage for fuels and oils

The Ramblers Association

1 We thank the council for consulting the Ramblers' Association on the above application (letter dated 21/9/07).

2 We have seen no order yet to deal with changes to BW 35 or FP 32.

3 We ask the council:

3.1 to ensure that both highways are kept open and in a fit condition for public use until the necessary legal procedures have been carried out and the council is able to certify that the alternative bridleway provided by the order is in a fit condition for use by the public.

3.2 To consult with the association of the details (surface and landscaping) of the new bridleway.

Stockton Police Station - Eddie Lincoln (in summary)

The police have concerns with regards to the location of the footpath diversion. The security of both the prison and new development must be considered but also public safety. The proposed location of the footpath creates an alleyway between the two fence lines, the planting design would restrict surveillance and the opportunity for crime and anti-social behaviour would be increased it also eliminates escape routes for any potential victim of assault or robbery. I would suggest the diversion be re-considered to maintain a clear defensible space for both the prison and the development and allow users of the footpath to feel safe.

NEDL

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

Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development. We have the following comments to make: The application has been examined and Northumbrian Water has no objections to the proposed development.

It is important that Northumbrian Water is informed of the local planning authority's decision on this application. Please send me a copy of the decision notice.

Northern Gas Networks

No objections

PUBLICITY

Neighbours were notified and any comments received are below (if applicable):-

Mr David Blyth - H M Prison Holme House, Holme House Road

Objects to the re-positioning of the bridal path adjacent to the prison and also raises concerns to the elevations of the buildings adjacent to the prisons boundary and seeks re-assurance over the security measures of the builder's merchants.

PLANNING POLICY

The relevant development plan in this case is the adopted Stockton on Tees Local Plan. 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).

The following planning policies are considered to be relevant to the consideration of this application:-

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;
- (y.) The need for a high standard of landscaping;
- (vi.) the desire to reduce opportunities for crime;
- (vii.) The intention to make development as accessible as possible to everyone;
- (viii.) The quality, character and sensitivity of existing landscapes and buildings;
- (ix.) The effect upon wildlife habitats;
- (x.) The effect upon the public rights of way network

Policy IN1

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

- (a.) Holme House Farm 41ha
- (b.) Teesside industrial Estate, Thornaby 39ha
- (c.) Preston Farm Industrial estate, Stockton 49ha

Policy EN32a

Proposals for new development will not be permitted within Flood Zones 2 or 3 as shown on the Proposals Map, or other areas identified as at risk of flooding, unless the applicant can demonstrate by means of a Flood Risk Assessment and sequential tests that:-

- i) there is no alternative site at no risk or at lower risk of flooding; and
- ii) there will be no increased risk of flooding to the development; and
- iii) there will be no increase in risk of flooding elsewhere as a result of the development.

Where permission is granted for development in flood risk areas, or for development that would increase the risk of flooding, appropriate flood alleviation or mitigation measures, to be funded by the developer, must be undertaken.

Policy EN39

The expansion of existing industrial or commercial undertakings in the vicinity of hazardous installations will normally be permitted if it can be shown that additional people and buildings will not be placed at unacceptable risk because of the proximity of the installation.

Policy S14

Proposals for Use Class A3, A4 and A5 'Food and Drink' development will be permitted in the defined retail Centres listed in Policy S1, where the proposal is in accordance with the following retail locational policies:-

- 1) Within the Defined Stockton Town Centre, subject to Policies S4, S5 and S6;
- 2) Within the defined District Centres except Yarm, subject to Policy S7;
- 3) Within the defined Yarm District Centre, subject to Policies S8 and S10;
- 4) Within the defined Local and Neighbourhood Centres, subject to Policies S12 and S13;
- 5) Outside of the defined retail Centres, proposals for A3, A4 and A5 uses will only be permitted if there are no suitable units available within the defined Centres, or there are justified exceptional circumstances that necessitate such a location.

Proposals for all Use Class A3, A4 and A5 uses will be considered against the following criteria:-

- i) the level of traffic generated and the provision of parking facilities, both in terms of highway engineering considerations and the general amenity of the area;
- ii) any adverse impact of proposals on residential amenity in terms of smell, noise, litter fumes and disturbance;
- iii) the provision of adequate and effective fume extraction and filtration equipment;
- iv) the provision of facilities for litter within and adjoining the premises;
- v) the secure provision for trade waste, stored in an out of sight location;
- vi) where appropriate, conditions limiting the late night opening may be applied.

The following Planning Policy Documents are also considered to be relevant to this decision.

Planning policy Statement 1: Creating Sustainable Communities;

Planning Policy Statement No.6: Planning For Town Centres;

Planning Policy Guidance 4: Industrial, commercial development and small firms;

Planning Policy Guidance No. 25: Development and Flood Risk

SITE AND SURROUNDINGS

The application site is situated to the north of the existing commercial and industrial activities of Portrack Lane. The A19 runs along the northern and eastern edge of the site, Holme House prison lies to the west whilst other commercial/industrial units lie to the south of the site.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations of this application are the impacts on the character of the area, amenity of the neighbouring occupiers, opportunity for crime, landscaping features, access and highway safety, public safety and flood risk

Principle of development;

The application site lies within the limits to development and is currently unallocated under the adopted 1997 Local Plan. The site is specifically allocated for employment use within the adopted Local Plan under policy IN1 (a), and is allocated for Business (B1) and General Industrial (B2) uses. Redevelopment of the site for B1, B2 and B8 units is therefore in accordance with the Stockton on Tees Local Plan.

Whilst the establishment of new A3 uses outside of the defined Town centres is not normally encouraged. Paragraph 3.30 of PPS6 states that ancillary uses may be acceptable although this will depend on the scale of development, nature of goods sold and proportion of turnover when not directly related to the main use.

The proposed cafeteria for the proposed development is situated off the new estate road is not in an overly prominent position which would be likely to attract vast numbers of passing trade. Although the café would be a separate unit, operated independently from the development its position in a central area of the development site indicates its primary use would be to workers/users of the proposed development. On this basis the café is considered to be ancillary to the main use, and any potential harm to the vitality and viability of the defined local centres should be minimal and could be limited further by a condition restricting hours of operation.

Character of the area;

The application site is located within an industrial/commercial location where there are a range of styles, which are all predominately portal framed warehouse type buildings. The design of the proposed B2 and B8 units reflects the types and style of units that can be found in the area and would not have a detrimental impact on the visual appearance of the locality. The proposed office units are located adjacent to the A19 and will provide a reasonably attractive frontage for this area.

On balance it is therefore considered that the proposed development is visually acceptable and will not have a detrimental impact on the character of the area as a whole.

Amenity of the neighbouring occupiers;

Given the commercial nature of the proposed development, the site and the surrounding premises it is considered that the surrounding activities will not have a detrimental impact on the future workers of the proposed development nor will the B1, B2 and B8 uses have such an impact on the surrounding sites and users that the proposed development would justify a refusal under the criteria laid out in policy GP1 of the adopted Stockton on Tees Local Plan.

Opportunity for crime;

Concerns have been raised by H.M. Prison in relation to the relocation of a bridleway and the erection of 2.4m high fence on the applicant's boundary in relation to creating a tunnelling effect, providing the opportunity for crime adjacent to the prison and also for security adjacent to the prison.

Discussions have been on-going between the planning department, the prison and the applicant's agent and agreement has been reached to have the existing fence which has been erected to be moved to the opposite side of the bridleway on the prison boundary thereby addressing the issues of creating a tunnelling effect and the security issues for the prison.

Access and highway safety;

The Council's Highway Engineers and the Highways Agency have considered the information put forward in support of the application in relation to the impacts on the Highway Network. No formal objections have been received to the proposed development and further information has recently been received from the applicants.

As there are no objections to the development in terms of its potential impacts on either the local or trunk road networks it is not considered that the proposed development pose any significant threat to highway safety.

Public safety;

The HSE have been consulted as part of this application and having considered the information submitted and types of use have advised that they do not advise, on safety grounds, against the

granting of planning permission in this case. The proposal is therefore considered to be in accordance with policy EN39 in this respect.

Flood risk;

A Flood Risk Assessment has been submitted in support of the current application, the Environment Agency have confirmed that they have no objection to the proposed development although have requested various planning conditions be attached to any planning approval given. The development is therefore judged not to pose any significant threat to flood risk and is in accordance with policy EN32a of the adopted local plan alteration.

CONCLUSION

In conclusion it is considered that the proposed development is acceptable in this location, is visually acceptable, will not have a detrimental impact on the amenity of the neighbouring businesses and does not any significant threat to public safety, flood risk or highway safety.

Consequently the proposed development is recommended for approval subject to planning conditions.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Simon Grundy Telephone No 01642 528550**

WARD AND WARD COUNCILLORS

**Ward Norton South
Ward Councillor Councillor R. Cook**

**Ward Norton South
Ward Councillor Councillor S. I. Nelson.**