

DELEGATED

AGENDA NO

REPORT TO PLANNING COMMITTEE

DATE 12th DECEMBER 2007

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

07/2680/REM

Former Corus Pipe Mill, Portrack Lane, Stockton.

**Reserved matters application for residential development of 375 no. dwellings
with associated access, carparking and landscaping.**

Expiry date: 19th December 2007

Summary:

Outline planning consent was granted in 2006 for mixed use development comprising residential (C3) and commercial business (B1) with associated access, carparking and landscaping on the former Corus Pipe Mill (05/0026/EIS), and therefore the principle of the development has been established; all matters were reserved except for access as part of the original approval. This application is concerned with these matters and relates to the form and design of the development including parking and landscape provision.

A condition attached to the outline consent required the submission of a Masterplan and Design Guidance Document which addresses:

- The siting of the main buildings
- The landscape framework and landforms
- The phasing of the development
- The access arrangements for vehicles, pedestrians and cyclists at the southern end of the site to connect to North Shore.

The Masterplan provides a framework that enables the proposals for residential and employment elements of the scheme to be progressed separately by the respective developers. This application for approval of Reserved Matters relates to the residential element.

The Head of Technical Services has no objections subject to comments covering detailed design issues being addressed and Members will be advised of progress on these matters at the meeting.

The scheme proposes landscape works to the perimeter woodland which is in the ownership of British Waterways who are supportive in principle but discussions are ongoing as to the nature of the works, maintenance and long term management. Subject to satisfactory resolution of these matters the proposal is considered to be satisfactory.

The development as proposed is considered to be acceptable and does not adversely impact on the neighbouring properties and character of the area, and is considered to be in line with general planning policies set out in the Development Plan and is recommended for approval with conditions.

RECOMMENDATIONS

Planning application 07/2680/REM be delegated to the Head of Planning and Environment for approval subject to the outstanding issues being resolved and the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and including the following conditions:

In the event of the legal agreement having not been signed, or there still being outstanding matters on the 19th December 2007 that the application be refused.

SECTION 106 AGREEMENT

Heads of Terms

- 1. A commuted lump sum of £170,000 for the provision of off-site play equipment.***
- 2. A commuted lump sum based on calculation for the maintenance of trees and soft landscaping in the adopted highway.***

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.

Drawing Number(s): - Numbers to be finalised

Reason: To define the consent.

02. Notwithstanding the submitted information, details of all external finishing materials including roads and footpaths shall be agreed with the Local Planning Authority before the development is commenced and shall be implemented as approved.

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

03. Notwithstanding the proposals detailed in the Masterplan and submitted plans no development shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible. Where works are to be adopted by the Council these works will be subject to a Section 38 Agreement

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

04. Notwithstanding the proposals detailed in the Masterplan and submitted plans no development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the Council's Design Guide, Specification (Residential and Industrial Estates Development) current edition BS4428:1989, Code of practice for General Landscape operations, and the Horticultural Trades Association (2002) Code of Practice. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following commencement of the development or prior to the occupation of any part of the development and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

05. Notwithstanding the proposals detailed in the Design Masterplan and submitted plans A soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden (unless sub-divided by enclosure) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. Maintenance shall be detailed for a minimum of 5 years from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season 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.

06. The detailed location, design, spacing, signage and materials of the speed reduction features shall be agreed with the Local Planning Authority before the development is commenced and shall be constructed in accordance with the approved details to the reasonable satisfaction of the Local Planning Authority.

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

07. The detailed design and materials of the sub stations shall submitted to and approved in writing by the Local Planning Authority before the development is commenced and shall be constructed in accordance with the approved details to the reasonable satisfaction of the Local Planning Authority.

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

08. Notwithstanding the submitted plans all means of enclosure and street furniture associated with the development shall be submitted to and approved in writing with the Local Planning Authority before the development commences. Such means of enclosure 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.

09. Details of the public art provision shall be submitted to and approved in writing with the Local planning Authority before the development commences and such art provision shall be erected before the development hereby approved is occupied.

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

10. The arrangements for the storage and collection of refuse waste shall be submitted to and approved in writing with the Local Planning Authority before the development commences and shall be provided before the development hereby approved is occupied.

Reason: To ensure satisfactory arrangements are in place.

11. Development shall not be commenced until the Local Planning Authority has approved in writing the details of the lighting columns, lighting and colour and luminance, including the specification of the lighting units for the illumination of the garage areas.

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

12. Notwithstanding the submitted plans precise details and extent of the cycle track/footpath proposed through the site shall be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: In order to ensure that the details are satisfactory in the interests of highway safety and visual amenity.

13. Notwithstanding the submitted plans precise details of the emergency access/path proposed across the Public Open Space shall be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: In order to ensure that the details are satisfactory in the interests of highway safety and visual amenity.

14. A Stage 1 Safety Audit for the new roundabout artwork 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.

15. Garages on drive lengths less than 6 metres in length shall be fitted with roller shutter garage doors in accordance with details to be submitted and approved in writing by the Local Planning Authority and the type of garage door shall be maintained during the life of the dwelling.

Reason: In the interests of highway safety.

16. Notwithstanding the submitted plans the detailed design of the highway squares indicated on the submitted plans shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and shall be constructed in accordance with the approved details to the reasonable satisfaction of the Local Planning Authority.

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

17. All shrub planting within vehicular sightlines should be less than 600mm to afford unobstructed visibility.

Reason: In the interests of highway safety.

18. A management plan and schedule for the maintenance of the parking courts including non-adopted lighting for the parking courts describing how these areas will be maintained and the frequency of such maintenance for the perpetuity of the development shall be submitted to and approved in writing by the Local planning Authority and implemented in accordance with the approved scheme.

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

The Proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the overall nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the residential proposal without any undue impact on the amenity of any adjacent neighbours and is acceptable in terms of highway safety and there are no other material considerations, which indicate a decision, should be otherwise. Stockton on Tees Local Plan policies GP1, HO3, and HO11.

THE PROPOSAL

1. The site is located in a predominantly business/industrial area with a number of retail warehouses and is bounded by Portrack Lane to the north. The eastern boundary is formed by a substantial band of trees which were established to screen the former steel works and this separates the site from the adjoining caravan park. The land falls away along this boundary to Marston Road from which an access road rises in a cutting into the site. The northern boundary is formed by an existing

industrial fence that separates the site from a mix of industrial and warehouse units fronting Crofton Road. There is a further substantial raised bund planted with trees running along the southern boundary separating the site from the Tees Barage complex (a site location plan is attached at Appendix 1).

2. The site itself occupies an area of approximately 10.6 hectares and currently comprises a cleared levelled site following demolition of the former industrial buildings.
3. This is a reserved matters application for residential development comprising 375 no. dwellings with landscaping and infrastructure works on land within the limits of development. The principle of the development has been established.
4. The design comprises a mix of units, providing a broad range of accommodation from 2,3, 4 and 5 bedroom homes and 2 bed flats including a large apartment block (the bedroom type to be determined) on the promontory that extends towards the river from the south east corner of the site. Approval of the external appearance and siting of the apartment block will be the subject of a separate reserved matters application (a detailed site layout plan is attached at Appendix 2 and a sample of the elevational treatment is shown in Appendix 3).
5. The site is accessed via a main access road from Marston Road which leads to a roundabout. A tree lined Boulevard runs west between the residential and business elements. This acts as an interface between them and culminates in a square. From the roundabout, the main vehicular circulation will run along the east side of the site, with houses on its eastern side backing onto the tree cover along the edge of the site. This road is characterised as an informal street, contrasting with the formal character of the Boulevard. This road crosses the open space area and culminates in a main square. This square marks the entrance to the apartment building on the promontory.
6. The apartment building (this submission seeks approval of the access and quantum) is set on the three open edges of the site, enclosing a central courtyard. A further road leads north from the main square to a further square in the south west corner of the site. This square is used to facilitate the development of a future access to connect the site with the proposed North Shore development. Funding for this was secured as part of a Section 106 Agreement when the original outline application was approved.
7. The central part of the site is structured around a large area of open space, extending east/west across the site. This space comprises 1.1 hectares and is arranged to incorporate an area of 0.6 hectares that is suitable for informal play. The space has been conceived as a Village Green and is overlooked by houses along each side.
8. Within the northern part of the site, a second street runs from the square at the head of the Boulevard along the west of the site towards the Green, with houses on the northern side backing onto a new landscape buffer between the proposed residential and existing commercial uses.
9. The buildings within the main part of the site are two to three storeys in height. The higher three storey buildings are used to close views or contain the larger spaces and to create focal points.
10. The Development Parameters Plan which formed part of the original outline

submission identified the promontory that extends towards the river from the south east corner of the site as an individual parcel of land. The plan also set a maximum building height of 21.5 metres for this parcel, against the general height limit of 15 metres for the remainder of the site.

11. The Design and Access Statement accompanying this application identifies the distinct and separate character of the promontory and provides the location for a landmark building, breaking the skyline and overlooking the river. This building will be highly visible and has been designed to present a frontage to three edges and is in a 'U' shaped form creating an internal courtyard as a focal point from within the development. The design of the building comprises a central wing of the 'U' at five storeys, reducing to three storeys for the two side wings. The central wing rises to six storeys generating a height of approximately 18.5 metres. This in effect divides the central wing into two halves and rises above them and breaks the overall mass of the building into three and reduces the dominance of the building on the skyline while maintaining the scale need to act as a landmark on the open skyline. This arrangement also helps to assimilate the building into the main body of the site, by stepping the height down to relate to the scale of the houses. The building will be seen to have an essentially linear form when seen from the south and against the skyline. The design provides for a simple and bold outline to the building forming a backdrop to the existing trees. Given the importance of the site in the wider context the detailed design and siting will be the subject of a separate reserved matters application.

CONSULTATIONS

12. 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: -

13. Tees Archaeology

We have been involved with this site in the past with the aim of securing a record of the pipe mill prior to its demolition. This was achieved and the resulting archive has been deposited with Teesside Archives.

I therefore have no objection to the works and no further comments to make.

14. Joint Public Transport Group

The only comment from a public transport point of view is that a substantial part of the site will be outside of the 400-metre guideline walking distance to a bus stop. This is, of course, taking account of the current pattern of services, which operate along Portrack Lane across the northern boundary of the site. Bus operators are at liberty to change their commercial services by giving 8 weeks notice to the Traffic Commissioner and the Local Authority.

15. Head of Technical Services

General Summary

I refer to the revised application details submitted the 26 November 2007, previous meetings, emails, correspondence and other discussions regarding this site and confirm that there are still outstanding issues with respect to this application which unless supplementary information is provided prior to determination will lead to an

objection being raised by the Head of Technical Services to this application. Our detailed comment which principally relates to the loss of trees on adjacent land that is not in control of the applicant and which therefore cannot form part of this application is given below. In addition to this concern other amendments are recommended but these can be dealt with by condition attached to any consent. Suggested wording for conditions is also given.

Highways Comments

Autotrack: An Autotrack route has been provided on that demonstrates access for refuse vehicles. The proposals in some parts of the layout does not comply with SBC Highways Design Guidance and the areas of concern are noted below:

- Area A: Neither of the 2 options proposed for the turning area can accommodate the turning arrangements for a refuse vehicle. This turning area (which is to be a shared vehicle and pedestrian surface) will require modification to conform to highway requirements. This minor revision to the turning areas should be able to be accommodated without amendment of the housing layout;
- Area B: Again neither of the 2 options for the turning area can accommodate the turning arrangements for a refuse vehicle. However, as noted for Area A minor amendments to highway layout will enable a satisfactory layout to be prepared;
- Areas C, D and G. The insert details are acceptable, however, the layout drawing illustrates an incorrect layout and must therefore be updated to remove the discrepancies;
- All other Autotrack routes are acceptable.

Road Safety Audit: The Road Safety audit provided by the applicant in support of the development proposal has been assessed and comment is given as follows:

- Eastern boundary adjacent to Plot 17. The two way carriageway splits to form a dual single carriageway road. Appropriate traffic calming is required along this section of road in order that traffic speeds remain low and to avoid excessive signing which would not be appropriate to the appearance of this new development. This matter can be dealt with by condition;
- End of cycle lane adjoining vehicular turning heads. The proposed footway/cycleway is not required and should be removed from the proposal. A revised drawing will be required to confirm this and this can be dealt with by condition;
- Public Open Space (Play Area). There is potential for pedestrian/vehicular conflict. However, with appropriate detail design that the risk can be minimised. This matter can be dealt with by condition;
- Carriageway adjacent to Plots 11 – 16 that forms a pinch point. A give and take chicane is considered inappropriate at this location. The carriageway width should, therefore, be increased in order to facilitate two-way traffic flows. It is appropriate for other traffic features to be introduced here to provide the necessary traffic calming. However, it is noted that the removal of the pinch point will result in the widening of the road adjacent to Plots 12- 15 inclusive which will require the houses to be moved further back from the road to enable standard

drive lengths (minimum length of 6 metres) to be constructed. This will result in reduced garden lengths and bring the proposed houses into closer proximity to existing trees. Full implications of the impact of this change to be dealt with by condition;

- Visibility splays. Generally these are acceptable; however, when a vehicle is parked in the first of two spaces to the north of the access in Detail A the visibility splays of driveways located on the bend would reduce forward visibility to an unacceptable length of around 20metres. These drives and or road layout must, therefore, be revised to locate drives off the bend and to provide a minimum sightline of 33metres. This matter can be dealt with by condition;
- Risk of office workers parking on the housing scheme roads. This will be considered when the planning application for office development is received;
- Risk of excessive speed. Traffic calming measures should be conditioned as previously described;
- Square adjacent to Plots 306/307. The landscaping should be increased in order to prevent parking around the western edge. This matter can be dealt with by condition;
- Emergency access and path Plot 119. The emergency access located adjacent to Plot 119 is of concern as it is likely that vehicle access can be obtained around bollards on the blocked paved area to the north of Detail E. This area should, therefore, be landscaped in order to prevent this unauthorised vehicle access and to prevent parking in front of plot 119. Visitor parking shall also be clearly designated on site. This matter can be dealt with by condition;
- Main access junction with Marston Road. Large number of vehicle movements could lead to delays which may lead to drivers taking greater risks. SBC to monitor future traffic movements at this junction and if necessary make arrangements to improve the junction;
- Details of surface finishes. The interrelationship of materials and kerbing etc will be confirmed as part of the S38 agreement.

Section 38 Agreement.

The applicant has proposed in Drg No 012 to seek formal adoption of the highway. Whilst the principle of adoption is acceptable to the Local Highway Authority the following details require further clarification:

- Whilst the layout requires amendment to conform with the Road Safety Audit other amendments will be required to conform to SBC adoption standards. All detailed areas must be fully detailed to enable full consideration of the proposals to be given. Details to illustrate the final material choices, the bonding pattern and cutting proposals which must ensure structural stability of the highway is achieved. The use of PCC standard kerbs in these detail areas would not be acceptable and the use of bespoke kerbing to form a visual link with the blockwork is recommended. An appropriate scale for these details would be 1:20. This matter can be dealt with by condition;
- Trees and shrubs are proposed with the adopted highway. Full details of how the planting is to be undertaken is required together with any associated protection.

A commuted lump sum towards on going maintenance associated with non-standard highways features including tree maintenance will be required. This details can be dealt with by condition with the commuted lump sum being part of a new S106 Agreement;

- Street furniture. A full range of street furniture will be required to aid vehicular/ pedestrian segregation. These street furniture elements will be required to be coordinated in terms of style and their location agreed. A commuted lump sum for further maintenance will also be required. The details can be dealt with by condition with the commuted lump sum being part of a new S106 Agreement.

Other comments are as follows:

- Drive lengths that are less than the minimum desired 6metres must have roller shutter garage doors on the garages. This matter can be dealt with by condition;
- All shrub planting within vehicular sightlines should be less than 600mm to afford unobstructed visibility. This matter can be dealt with by condition;
- A Management Company should be appointed in order to maintain the parking courts including non adopted lighting. A management plan and schedule for the development should be introduced in order to describe how these areas will be maintained and the frequency of such maintenance for the perpetuity of the development. This matter can be dealt with by condition;;

Notwithstanding the submitted layout minor changes are required to ensure that all vehicles exiting from parking courts must be able to do this in a forward gear and all driveways should be 90degrees to the highway. The applicant is to submit revised drawing to address these issues prior to determination.

Landscape & Visual Comments

Masterplan.

Persimmons Homes statement that the Masterplan follows principles agreed with officers of the Council is not factually correct as the plans do not follow our recommendations set out in Pre Planning meetings for the reasons stated below:

- The application includes details of felling of offsite trees on land that abuts the application red line boundary. This land is in the ownership of British Waterways. The trees that surround the application site are referred to in the Masterplan (Para 2.8) as enclosing, screening the site to detach the site from the surrounding townscape and to set the site in isolation as a self contained quarter. This may not be the case if trees are removed in particular from the promontory on which the apartment block is proposed. It is worth noting that some tree removal will have to undertaken in conjunction with the landowner to incorporate the necessary second access road and cycleway. These infrastructure elements formed part of the S106 Agreement that was attached to the Outline Consent. No additional; tree removal should be required to accommodate the apartments. It was previously recommended in our Pre Application discussions that the tree belt which was planted to screen the former Corus site from its surroundings should remain unchanged with the exception of previously approved works. It is, therefore, recommended that the application be amended to enable both siting and design of the apartments to be excluded from this reserved matters

application. As part of the submission of reserved matters for the apartment block the applicant must demonstrate by way of photomontage what views would be available of the apartment block from the wider greater North Shore and Blue Green Heart (part of the 20 year vision for this area proposed under the Stockton Middlesbrough Initiative) if tree felling was to take place;

- In addition further tree felling is proposed along the eastern edge of the application site to create off site grassy glades. Whilst this woodland is not part of this application the thinning and selective removal appears to be proposed to reduce shading of the new houses which is likely to have an adverse impact on the amenity that should normally be enjoyed by the new residents. The Shadow Plan that accompanies the Landscape Masterplan concludes that the trees would have an impact of the properties and that to reduce post development pressure on the trees by residents desire for a clear view or increased light penetration that the necessary management (which includes tree felling) should be undertaken. Whilst the principle of some woodland management can be achieved without significant impact on the viability of this eastern woodland screen, felling proposal cannot be considered as part of this application as the trees are not in the control of the applicant nor has agreement been reached with the land owner (British Waterways) on which the trees are growing. The layout as previously advised to the applicant in the series of Pre Planning meeting should have been amended to take account of the location and potential shading effect of existing trees;
- The LPA has ensured control and protection of these trees as they are being made subject of a TPO notwithstanding that the Council has been given assurances by British Waterways (one of our partners in the Blue Green Heart Initiative) that no tree felling will be permitted other than necessary management in accordance with recognized Silviculture operations;
- The application submitted is a Reserved Matters application including Landscaping. However, insufficient landscaping details have been submitted to enable full consideration of the proposals to be given. The Masterplan provides a list of suitable plants and a planting philosophy for the housing development but the philosophy for the introduction of boulevards is not illustrated on the Landscape Masterplan for example along the road between Plot No's 323-329, 307-314, 143-156 and 5-17. Other planting details for example, stock type, stock size and planting densities are also not provided. It is also unlikely that the tree boulevards can be achieved due to lack of space between the houses and the roads. Whilst a condition can be placed on the provision of full planting details the provision of appropriate soft landscape treatment can only be as achieved is there is adequate space in which to undertake planting. It is, therefore, suggested that notwithstanding the submitted layout further changes to the layout will be required to accommodate the required boulevard trees. In addition full landscape details will be required;
- Management details for the planting will be required. These details will be required to be itemised as follows:
 - Landscaping that is to form part of the adopted highway;
 - Landscaping that is to form part of the any Title Transferred POS;
 - Landscaping transferred to a private management company;
 - Locations of any landscaping to be transferred to new residents by deed.

Boundary Treatment.

- Whilst suggestions for boundary treatment are noted in the Masterplan no details are provided. Whilst close boarded fencing is suggested it is recommended that this material be kept to a minimum in favour of brick walling for all external boundaries in order to control future boundary changes, in particular the replacement of non matching fence panels and or stain colour. The provision of suitable boundary treatment can be dealt with by condition;
- Walls and fences are suggested in the Masterplan for the frontages of proposed housing. Any such boundary treatment must be located behind sightlines (or be less than 600mm in height) and where the fences divide plots the enclosure must not prevent or create unreasonable requirements for maintenance of soft landscaping by future residents. Any sub divided areas to be noted in the management plan for the site.

Public Open Space (POS)

- Drawing 1633/006/C. Details of Emergency access across the POS including the footpaths and cycleway to be agreed. This can be dealt with by condition;
- Whilst the shape of the POS follows the parameters plan that formed part of the Outline Approval the shape in the parameters plan did not have any relationship with the built form. Now that the layout has been developed it has been previously recommended that the shape be redesigned (curved) to lead users towards the cycleway and exit to offsite play facilities. This request has not been acknowledged in the revised plans. At present the POS ends at a security fence belonging to British Waterways and which forms the boundary of the Caravan Park. This space which is separated from the rest of the POS by the road is likely not to become viably open space due to this separation and close proximity to houses;
- It is noted on Drawing 1633/006/C that the applicant is seeking to have the POS Title Transfer to the council. This may not be acceptable to the Council due to the proposed shape and previous contaminated nature of the site. It is noted that any changes to meet our Title Transfer requirements are likely to require amendments to any planning consent for this application. This issue of Title transfer if acceptable to SBC can be dealt with by S106 Agreement.

Off Site Fixed Play Equipment

- Play equipment is required as part of this Reserved Matters application. It is recommended that this equipment be installed off site at a location to be agreed on land adjacent to the barrage. Our Parks and Green Space team has proposed a Section106 Agreement for the financial contribution for this play facility. The S106 contribution will be include both construction costs and long term maintenance. Linkages between this site in the form of cycleway and footpaths form part of an existing S106 agreement which formed part of the Outline Consent.

Public Art

- Public Art of 'landmark' significance is proposed at the entrance roundabout. This matter can be dealt with by condition and should also include its landscaped setting. . It is noted that the final design will be subject to appropriate level of safety audit and the submission of this audit must form part of the condition;

- Other public Art to be incorporated into the development and agreed through the agreement of a design code (as noted in the Masterplan. This matter can be dealt with by condition.

General Comment:

- Hard standing at ends of cul- de-sacs (plot No 295-296 & 297 – 319) are not required and are to be removed and cul- de-sacs shortened to permit a minimum of 2m soft landscaping against the existing metal palisade security fence. A revised drawing will be required to confirm this and can be dealt with by condition;

Line and Levels.

The relationship of the built elements and their surroundings must be demonstrated. Existing and proposed levels shall, therefore, be demonstrated and linked to Ordnance Datum (AOD). This can be dealt with by conditions.

Built Environment Comments

No additional comment to that noted above.

16. Environmental Health Unit

No further comments to make.

17. The Environment Agency

The Agency has no comments to make on the reserved matters application.

18. CE Electric

Standard mains record shown.

19. Northern Gas Networks

No objection and standard mains record shown.

20. One North East

The following comments reflect the view of One NorthEast 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.

The outline application was submitted in January 2005 and as such predated the Agency's statutory role. It is understood that the reserved matters application relates to the layout, scale, external appearance, means of access, and landscaping of the site, with the exception of the external appearance of the apartment building which is reserved for subsequent approval. I can confirm that the Agency would like the details of the external appearance of the apartment building to be forwarded for comment once they are submitted.

As you will be aware One NorthEast is a strategic partner in the North Shore scheme, which lies to the south of the application site. The Agency is supportive of the proposals and welcomes the measures taken to ensure that the development connects into the wider North Shore proposals.

The Regional Economic Strategy promotes the need for quality of place within existing and proposed development. In commenting upon the design merits of the proposal there is concern over the treatment of residential corner units with blank gables evident at a number of street junctions

In addition, if minded to approve the Agency would request the Local Planning Authority to encourage the developer to pursue the highest standards of quality in the development of this site, e.g. BREEAM, Building for Life and Secured by Design.

In line with Government objectives to generate 10% of electricity from renewable energy sources by 2010 the application should also provide details regarding the provision of renewable energy measures within the scheme.

21. Highways Agency

In May 2006 we issued a TR110 form directing that a condition to be attached to any outline planning permission for this site, and that was included on the planning approval as condition number 11. The condition related to the provision of improvements to the highway network to ensure the safe and free flow of traffic on the A19 prior to any occupation of the site.

The reserved matters application proposes the same number of residential dwellings as approved in the outline permission, and is in accordance with table 1 in condition 11. Therefore subject to the highway works given in condition 11 being implemented to our satisfaction we would not wish to make any further comment regarding this reserved matters application.

22. North East Assembly

Under section 38 (3) of the Planning and Compulsory Purchase Act (2004), the RSS is part of the statutory development plan. Under the plan-led system, this means that the determination of planning applications will be made in accordance with the RSS and other development plan documents, unless material considerations indicate otherwise. In advance of having an adopted RSS, it is necessary to appraise the conformity of the planning application with both the Regional Planning Guidance 1 (RPG1) (November 2002), and the Secretary of State's proposed changes to the Regional Spatial Strategy (RSS) (May 2007).

The principle of residential development on this site is established through an extant planning permission, which was submitted to the council in 2005, and approved in August 2006 (application number: 05/0026/EIS). Whilst this reserved matters application deals only with the residential element of the scheme, the outline permission is for a mixed-use development comprising residential and business units. This application seeks approval of the required reserved matters to allow the implementation of the residential element of the outline permission. These matters comprise: siting; design; external appearance; means of access; and landscaping. The majority of matters of principle should therefore have been dealt with through the outline application process. Many of the reserved matters will be detailed issues for the local authority to determine, however, where relevant, the reserved matters are appraised in the context of regional planning policy objectives. The reserved matters

application is accompanied by a design and access statement and a masterplan.

The applicant indicates that the density of the development proposal is approximately 60 dwellings per hectare (paragraph 4.3 of the design and access statement). Both RPG1 and the RSS proposed changes advocate the efficient use of land (policies H6 and 30). RSS proposed changes policy 30 establishes average densities of between 30 and 50 dwellings per hectare. Whilst the proposal is for a slightly higher density, this is not deemed inappropriate given the urban location, and the inclusion of flats in the scheme, which allows for higher densities to be achieved.

The design and access statement explains that 15% affordable housing will be provided in accordance with the condition attached to the outline planning permission. The provision of affordable housing based on identified need is consistent with the objectives of RPG1 policy H7 and RSS proposed changes policy 32. The masterplan for the scheme establishes the mix, scale, and phasing for this development. The development comprises 114 apartments, 36 flats, and 225 houses. The applicant provides some justification for this housing mix in paragraph 4.9 of the design and access statement. RPG1 policy H7 and RSS proposed changes policy 32 direct local authorities to ensure that provision is made for a range of dwelling types; size; and tenure, to meet the needs of all sectors of the community. The local authority should be satisfied that the different range of house types proposed is appropriate, and contributes to the achievement of sustainable communities in accordance with these policies.

Whilst the design of the scheme is a detailed matter for the local authority to determine, some principles are established in regional planning policy, which the development should adhere to. RPG1 policy ENV22 encourages a high standard of built development and design, and the use of materials appropriate to the location. This is carried through in RSS proposed changes policies 5B and 24, which acknowledge the importance of design and layout in achieving sustainable communities. In accordance with these policies, development should contribute to the strengthening of local communities; make best use of existing infrastructure and services; secure crime prevention and community safety by design; and make efficient use of resources through energy efficiency measures and the inclusion of embedded renewable energy. The local authority should be satisfied that the design and layout of the scheme contributes to sustainable communities, and aims to reduce the impact of travel demand by maximising pedestrian and cycle links with the surrounding areas.

The applicant's design and access statement indicates that a 1.1 hectare open space will be provided on the site, alongside a series of public squares. Subject to the local authority satisfaction that this provision is adequate, this approach is consistent with RPG1 policy SR4. RSS proposed changes policies 2 and 5B direct planning proposals to encourage and support the establishment of green infrastructure (a network of protected sites; green spaces; nature reserves; and green way linkages.). The proposal should therefore support the implementation of green infrastructure.

RPG1 policy T2 and RSS proposed changes policy 5B direct development to facilitate the use of public transport; cycling; and walking. In terms of parking provision, in accordance with RPG1 policy T12 and RSS proposed changes policy 54, the parking provision should be made in accordance with national standards. It is understood that 606 parking spaces and 150 cycle spaces will be provided as part of the proposed development. This equates to approximately 1.6 spaces per dwelling. The local authority should seek advice from the highways authority on matters of parking and access arrangements.

The proposal does not propose to incorporate any embedded renewable energy generation, or demonstrate how it intends to reduce energy consumption. This does not reflect the objectives of RPG1 policies EN1 and EN7, which encourage renewable energy and energy efficiency. The RSS proposed changes goes a step further, by requiring the incorporation of embedded renewable energy in major new development. This proposal would better reflect the objectives of regional planning policy by incorporating energy efficiency measures and embedded renewable energy generation. The NEA would therefore support the inclusion of these measures, to reflect the objectives of RPG1 policies EN1 and EN7, and RSS proposed changes policies 39 and 40.

The design and access statement makes reference to the inclusion of sustainable drainage systems (SUDS) in the proposed development. SUDS can contribute to minimising the risk of flooding, particularly flash flooding, and also contribute to a reduction in water based pollution. The inclusion of such provision would conform with the objectives of RPG1 policies ENV3, ENV4 and the RSS proposed changes policy 36. The NEA would support the local planning authority in requiring the incorporation of SUDS.

This application seeks approval of the required reserved matters to allow the implementation of residential element of the outline permission. The NEA has raised a number of issues in this response for the local authority to consider in determining this application, to ensure that the detailed scheme contributes to the achievement of sustainable communities.

23. Tees Valley Joint Strategy Unit

The current application does not raise any new strategic planning issues.

24. Durham Tees Valley Airport

No objection to the proposal

25. British Waterways

British Waterways are supportive of the proposed pedestrian/cycle way linking the development with the north shore.

26. Tees Valley Regeneration

Thank you for sending through details of the scheme. TVR have no objection to the application. We do however request that we are consulted on the detailed design of the apartments under reserved matters as these will be visible from and have an impact upon our North Shore site.

PLANNING POLICY CONSIDERATIONS

27. 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).

28. 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.

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

29. The main considerations of this application relate to the impact of the proposed development on the locality in terms of 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.

Site characteristics, detailed design and relationship and impact on future development

30. The application site already has outline consent and therefore the principle of the development has been established, all matters were reserved as part of the original approval except for the means of access. This application is concerned with these matters and relates to the form and design of the development as a whole including parking and landscape provision.

31. The outline approval set a development threshold of 375 dwellings and 125,000sq ft (11,613 sq m) of Use Class B1 employment space. The outline consent also established that the access into the site will follow the line of the existing access from Marston Road. The outline permission refers to the development Parameters Plan that defines the location of open space and buffer zones within the site, dividing the residual developable area into four parts to structure building heights and landuses.

32. The vision and general principles for the site are set out in the Design Statement that accompanied the Outline Planning Application. These can be summarised as follows: -

- * Deliver high quality buildings, landscape and public realm, establishing a quality urban environment for both residential and business activities;
- * Create an integrated sense of place and image, using common design themes and public treatments, reflective of the wider site context;
- * Provide an integrated, safe and coherent network of routes which places the pedestrian at the top of the movement hierarchy;
- * Establish a strong street network to form the basis organization structure and block pattern;
- * Anticipate future developments off-site, comprising block layouts that respect sound urban design and development principles and allow for permeability,

- whilst reflecting the existing context and constraints of the site's surroundings;
- * Comprise built development of a human scale, which is characterized by innovative domestic and commercial architecture.

It is considered that the proposed scheme has satisfactorily incorporated these requirements into the design and overall layout.

33. The developable land allocated for residential use by the Development Parameter Plan is approximately 8.14 hectares less the site area for open space and landscape buffer leaving 6.3 hectares net developable land. With the proposed 375 dwellings this equates to a density of just below 60 dwellings per hectare. The proposal involves the re-use of existing brownfield land for housing to provide a mix of dwellings including social housing and fully accords with national policy which encourages the reuse of previously developed land.

34. The proposed housing layout incorporates a mix of house types, which are contemporary in design using a limited range of materials. The primary material is brick, reflecting the residential nature of the scheme, but coloured render and boarding provide contrast, variety and interest. Balconies and porches also give visual interest with the use of metal and glass.

35. The dwellings themselves consist of a range of 2 bed apartments, 3, 4 and 5 bedroom houses and the proposed layout has been designed to ensure that adequate distances are met. The mix gives a wide variety of accommodation and the internal arrangements together with the positioning of window openings have been designed to minimise any overlooking and it is considered that the proposal relates well to the future business elements of the scheme.

36. 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 within walking distance of leisure ,retail and public transport facilities and thus accords with the general principles set out in the guidance.

37. In accordance with the outline consent the scheme accommodates 15% (56) units of affordable housing incorporated into the scheme and is in accordance with Policy guidance.

38. The scheme incorporates a public open space running approximately on a north west to south east axis and provides for walking, informal ball games and active and creative play together with informal areas of landscaping and is overlooked on all sides. The applicant has agreed to a contribution towards the implementation of a new 'honey pot' play area near the Barrage to serve the wider community and discussions are ongoing with British Waterways to progress this facility.

39. The site is considered to be a sustainable brownfield site and the selection of a variety of house types and sizes and tenure should ensure a sustainable community is developed.

40. As part of the outline consent, the applicant entered into a Section 106 Agreement to provide a financial contribution for the additional school places should they be required.

41. The landscape strategy for the site includes the following elements; treatment to

the entrance from Marston Road; the approach to the apartments; a formal tree lined boulevard and treatment to the residential streets and squares. The planting strategy for the Green is informal with irregular patterns of trees and shrubs to give the central public open space the character of a village green and not a formal open space.

42. The site is presently screened by an existing landform and structure planting that was placed around the site in the 1980s when it was an industrial site. The existing plantation woodland that lies along the site's eastern and southern boundaries is proposed to be thinned to create an irregular grassy glade and edge to the woodland. This will vary in depth as it runs along the housing eastern and southern boundaries with shrub planting to define the new woodland edge and occasional specimen trees will be introduced so that the character of the transition to woodland will be one of a series of grassy glades. The eastern screen will not however be broken and there will be no direct access from the caravan park to the site.

43. The woodland is in the ownership of British Waterways who are supportive in principle but discussions are ongoing as to the nature of the works, maintenance and long term management. Subject to satisfactory resolution of these matters the proposal is considered to be satisfactory.

Means of Access, Parking and Traffic Issues

44. The main vehicular access is from Marston Road which leads to a new roundabout within the site. This will facilitate the management and separation of traffic to the residential and employment parts of the scheme, but also provides the opportunity to accommodate a landmark piece of Public Art that will create a sense of arrival and help to develop a distinct identity for the new development. From here, the main residential access runs south along the eastern side of the site, with a second access running west to a square and then south along the east side of the site. An emergency access is provided into the site in the first instance from Portrack Lane, via the roads serving the business development. As part of the outline consent the applicant has made a financial contribution to enable the second access into the site at the south west corner, connecting the development to North Shore and this will provide a further alternative in the event of an emergency.

45. As part of the outline approval the applicant agreed to fund off-site highway works at the highway junction of Portrack Lane and the A19 Trunk Road, and to fund additional public transport infrastructure to support sustainable links from the development to local facilities.

46. Much of the car parking will be provided in small courts where it will be convenient to and overlooked by the houses that it serves, and will be screened from view from the streets. Spaces have been provided in parking courts set behind the dwellings to remove as many cars as possible from view and also reduce their visual impact. The parking courts are designed to ensure that passive surveillance is enhanced and the distance from the car-parking space to the home is also kept to a minimum.

47. The primary cycle route runs north south connecting from Portrack Lane to the Tees Barrage and North Shore. It enters the site at the same point on Portrack Lane as the emergency access and follows a segregated cycle track through the employment site to the roundabout at the main entrance. From here it follows the main access road serving the residential development. The route follows the road network to the main apartment building and from here a combined footpath cycleway

connecting south westwards to North Shore via the second access. The second cycle route runs along the north side of the green, comprising dedicated sections of cycleway to link between the cul de sac heads, in order to provide a convenient east west route. Cycle parking is provided for each apartment building.

48. The primary pedestrian route runs east west through the site and provides safe access to the existing bus stops on Portrack Lane. Within the site, inherent traffic calming will be achieved by locating bends, junctions and changes in carriageway width to reduce unimpeded lengths of substantially straight road to less than 60 metres, so that vehicles are unable to build up speed. A 'Home Zone' layout format (designed with traffic-calmed routes through the area and an overall environment where other modes of transport are encouraged) has been adopted particularly within culs de sac and other streets that do not form part of the primary access network.

49. The Head of Technical Services has considered the highway arrangements in terms of how it functions and highway safety implications as well as general parking provision and is satisfied with the proposal subject to a number of detailed design issues being addressed.

CONCLUSION

50. Overall the nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the residential proposal without any undue impact on the amenity of any adjacent neighbours and does not conflict with policies in the Development Plan.

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Financial Implications – As report

Environmental Implications – As report

Community Safety Implications – As report

Background Papers –

Stockton on Tees Local Plan (June 1997), Adopted Tees Valley Structure Plan (February 2004), Planning Application 05/0026/EIS, Planning Policy Statement 3: Housing and Planning Policy Guidance Note 13: Transport, SPG 4.

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