DELEGATED

AGENDA NO
PLANNING COMMITTEE

DATE: 12th December 2007

REPORT OF CORPORATE DIRECTOR, DEVELOPMENT AND NEIGHBOURHOOD SERVICES

(A) 07/2730/FUL

Bede Sixth Form College, Hale Road, Billingham Erection of 3 no. storey education facility with associated car parking (demolition of existing building)

Expiry Date: 28 December 2007

(B) 07/2731/FUL

Erection of 2 No. Storey sports centre adjacent to proposed educational facility including all weather pitch at Bede Sixth Form College, Hale Road, Billingham

Expiry Date: 31st December 2007

PREAMBLE

This report sets out two related planning applications relating to (A) the provision of a College Building, parking and landscaping and (B) associated Sports Centre and playing pitches. Where consultation responses and representations in respect of each application differ, they are set out separately.

SUMMARY

The applications seek permission for the erection of a three storey college building, associated car and cycle parking, landscaping and a 2 storey sports centre, playing pitches and cricket square on land generally to the east of Marsh House Avenue and north of Low Grange Avenue. The facilities would serve Stockton and Billingham and Bede Colleges.

Both buildings are modern, and finished in contemporary materials. Car and motor/cycle parking would be provided to the Marsh House Avenue frontage of the new building. Access would be taken from Marsh House Avenue, via a new signal controlled junction. Landscaping is proposed within and around the boundaries of the college site.

In total, eight letters of representation have been received. Two letters (from the same neighbour) raise no objection to the either proposal, one accepts the scheme for the extension to the college whilst others object to the both proposals because the pitches are too close to residential properties, noise and disturbance arising from use of the pitches, danger and damage from flying balls, lighting, maintenance of new pitch area, risk of flooding and impact on gardens from excess water, car parking and impact on volume of traffic using Marsh House Avenue.

Consultations responses received to date contain an objection from the Environment Agency on flood risk grounds. The Urban Design Manager, in respect of highway matters, requires further information. The Spatial Planning Manager and Environmental Health Officer raise no objection to the proposal. Amongst others, the response of Sport England is awaited.

The Ward Councillor, Councillor Cunningham is to respond after 7th December.

All concerns and objections have been forwarded to the applicant. In view of the fact that the scheme may well change, a complete assessment of the proposed development cannot be made in all respects. However, it is considered that the principle of proposed development on this site is acceptable. Because of the surrounding highway safety, flood risk, playing space, protected species and residential amenity matters means that full consideration of the unresolved matters cannot be made at this stage.

The recommendation below reflects those uncertainties and is given in order to allow the applicant a reasonable opportunity to respond to the matters arising and to ensure a timely decision. An update report will be prepared to set out the current position on 12th December 2007.

RECOMMENDATION

It is recommended that determination of application numbers 072370/FUL and 07/2731/FUL be delegated to the Head of Planning for approval subject to the conditions outlined below provided there are no irresolvable issues or other matters which indicate a decision should be otherwise. If there are matters, which indicate that planning permission be refused or matters that cannot be resolved on or before 20th December 2007, then planning permission be refused on the grounds of adverse impact on amenity of the occupants of neighbouring properties, access and highway safety, and flood risk, or any other matters arising from the outstanding consultation responses.

Proposed conditions: Approved documents, time limits, materials, temporary parking and storage area, details of hard and soft landscaping, details of playing pitches, levels, travel plan, drainage, external illumination, secure cycle storage, contaminated land, working period, means of illumination, means of enclosure, and any other matters arising.

BACKGROUND

 The application arises from the need to provide replacement and improved accommodation for education and sports facilities following the amalgamation of Stockton Riverside College and Bede Colleges.

APPLICATION SITE AND SURROUNDINGS

- 2. The two application sites can be split into two distinct areas, north and south.
 - The <u>northern section</u> is grassed and used by Billingham Campus School for field sports. To the east is a footpath linking the Billingham Campus School to Bede College, to the west is Marsh House Avenue. The northern boundary is not physically defined, and to the south is a small landscaped area and the nursery. An easement is shown through this section of the site for a sewer and culvert. This area effectively dissects the northern and southern parts of the whole site.

• The <u>southern section</u> comprises the site of the nursery, Bede College buildings, and playing fields. To the east two primary schools define the eastern boundary. The existing access to the college is taken from Hale Road. Residential properties on Marsh House Avenue, Hale Road and Elemere Court and Low Grange Avenue define the western and southern boundaries of the site.

Accompanying Documents

3. The submissions are accompanied collectively by a Statement of Community Involvement, Sustainability Statement, Flood Risk Assessment, Green Travel Plan (incomplete) and Transport Statement.

PROPOSAL

(A) - College Building

- 4. A College Building is proposed on playing fields to the north of the existing college site. The new building would provide 4,603 m2 of floor space over three storeys to accommodate a specialist music classrooms, ICT, main hall staff office and facilities, learning centre, café, kitchens, W.C's plant and equipment rooms, medical room drama and associated practice rooms, classrooms, science rooms, and media rooms. Cycle storage in a separate building adjacent to the main entrance to the site is also proposed.
- 5. A separate single storey building is proposed to the south east of the main building to provide an Energy Centre comprising electrical sub-station, switch room, chemical store, boiler room, biomass store, recycling store and bin store.
- 6. In design, the wedge shaped building is modern and functional with a horizontal emphasis, flat roof and finished externally in blue/grey brickwork, aluminium cladding, tinted glazing, timber effect rain screen panelling. A digital information screen is proposed above the entrance of building.
- 7. Soft landscaping is proposed within and around the boundaries of the site.
- 8. Access to the site is via a new signal controlled junction and 145 parking spaces would be provided on the site frontage. Drop-off areas are provided within the site. Details of parking provision are set out in paragraph 22 below. An existing bus stop on Marsh House Avenue would be relocated.

(B) - Sports Centre

- 9. A two-storey sports centre providing accommodation at ground floor for a sports hall, climbing wall, staff room, office, changing rooms, sports centre, and materials store is proposed. The second floor would provide for a café, fitness room, classrooms, plant and equipment room and W.C.
- 10. In design terms the building is modern and functional, combining dark blue/ grey brick, frosted or shaded glazing, and coated aluminium panels for the external finish. The elevations show a horizontal emphasis to the structure with external stairway and a flat roof.
- 11. The building would be located close to the northern boundary of the southern section of the site. An all-weather synthetic playing pitch is proposed immediately to the east of the building, with two larger pitches, a cricket square and one smaller pitch to the south. An informal play area is shown to the west of the building. 3.0 metre ball stop fencing, rising to

- 5.0 metres behind the goal area, would surround the all-weather pitch. This pitch would be secured and lockable. The grass pitches would be bounded by 5.0 metre ball stop fencing set 2 metres from existing residential fencing and hedges.
- 12. The Sports Centre would be accessed through, and parking facilities shared with the main College site. No separate dedicated parking is proposed.
- 13. A 2.4 metre weld mesh fence would enclose both sites, with large sliding gate to protect the site at night. A secondary emergency access is to be provided via a lockable gate to Hale Avenue.

Footpath Link

14. The existing footpath link from the site to the Billingham Campus which bounds the site to the east is outwith site boundary and would be retained. The internal footpath is designed to allow easy access to this retained footpath.

Nursery Building

15. The submitted drawings show the location and general elevations for a nursery building however it is out with the application site and not for consideration at this time.

CONSULTATIONS

16. The following consultees were notified and any comments received are set out below:-

Spatial Plans Manager

[In respect of application (A) – College Building]

17. The proposed development is to take place on land allocated as outdoor playing space in the Stockton-on-Tees Local Plan (1997). The proposal is therefore subject to policy REC 1 of the Local Plan, and paragraph 15 of PPG: 17. These policies state that development should not be allowed on outdoor playing space unless equivalent or better provision is to be provided.

The open space provision provided by the demolition of the existing school building and the extra facilities provided by the accompanying application for open space and recreation provision (07/2731/FUL) means that there is no policy objection to this application.

[In respect of Application B] summarised

- 18. The proposal would result in the net loss of 0.18 hectares of playing fields. Adopted Stockton on Tees Local Plan policy REC1 and Paragraph 15 are relevant.
- 19. Although the proposal would result in the loss of playing fields the proposed qualitative improvement of the site in terms of the all-weather pitch and the sports centre with specialist facilities, indicate that the alternative provision of equivalent community benefit is being made available.
- 20. An assessment of local need has not yet been undertaken therefore in terms of PPG 17 but the proposal would provide ancillary facilities and an increase in the quality of the provision in terms of the all-weather pitch and indoor facilities. This is sufficient to outweigh the loss of 5% of the existing playing pitches.

<u>Urban Design Manager</u>

Highways Comments - College Building

- 21. I cannot currently support this application due to lack of information. The applicant needs to assess the feasibility of the proposed new traffic signal junction into the college site. This must include full modelling exercise aimed at showing how the junction will operate, and that it will not affect the free-flow of traffic at other junctions in close proximity to the site.
- 22. In terms of parking, the new college building would increase the gross floor area by 610 m2. The following table sets out existing, proposed and required provision for ease of reference.

Existing	Proposed	Required
8 spaces to the front of the building	145 spaces including	70 spaces
including 2 disabled spaces	disabled bays	
135 general spaces and 2 disabled		
spaces		
30 bicycle storage spaces		60 spaces
5 motorcycle storage spaces		

Highway Comments - Sports Centre

23. In summary, 82 car parking spaces are required to serve the sports centre. As there are no spaces indicated within this part of the site, it must be assumed that they are to be shared with the College building. There is therefore a shortfall of 7 spaces. This also excludes any parking demand that may be generated by the all-weather pitch. Additional information regarding the operation of the sports centre is required to determine if the shortfall is acceptable. The applicant must also accommodate a coach parking space within the layout and 18 cycle parking spaces. Again further information is required from the applicant to determine if the 18 cycle spaces are to be provided in addition to those required by the college.

Landscape & Visual Comments - College Site

- 24. No objections to the proposal, subject to soft landscaping conditions and makes the following comments:
- 25. The site is an open grass space devoid of any notable specimen trees or other landscape features and we have no objections to the removal of the small trees indicated on the Drawing No. L90GAP002. There is a need to remove a section of hawthorn hedge to accommodate the new entrance to the new education facility but in the interests of the development we do not object to this. New planting as part of the new landscaping should be used to offset this loss of existing site planting.
- 26. The site is currently visually barren and this new development should be seen as an opportunity to introduce some good quality landscaping into the site. Full details should be provided to the following minimum standard:
 - A detailed landscape plan for hard construction indicating materials and construction methods.
 - A detailed planting plan indicating soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.

Landscape and Visual Comments - Sports Centre

- 27. The site is an open grass space devoid of any notable specimen trees or other landscape features, and there are no objections arising to the removal of the trees indicated on Drawing No. L90GAP002
- 28. Details of the proposed hard and soft landscaping and boundary treatments including fencing and playing pitches are required and the applicant should consider the need for tree planting around the edges of the site where it is overlooked by housing. Consultation should be carried out with the neighbouring residents to assess the need for screen planting and it should be noted that there is no room to soften the views of the middle pitch so desired by the residents of Low Grange Avenue. Any lighting details should also be submitted and this may enforce the need for screening.
- 29. As stated in drawing L90GA001, there will be a 2 metre gap between the new boundary fence and the residential fencing and gates. The future maintenance of this space needs to be considered at this stage, i.e. the cutting of any grass that grows in this space.
- 30. The site is currently visually barren and the new development should be seen as an opportunity to introduce some good quality landscaping into the site. Full details should be provided to the following minimum standard:
 - A detailed landscape plan for hard construction indicating materials and construction methods.
 - A detailed planting plan indicating soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.

Built Environment Comments - College Building

31. No comments.

Built Environment Comments - Sports Centre

32. No objections to the proposal. I would however like to see that that the applicant has explored opportunities to integrate solar power within the roof space to aid artificial lighting within the both functional and decorative.

Environment Agency

- 33. We object to this application because no evidence has been provided that the flood risk Sequential Test has been properly applied. Our objection will remain until your Authority has carried out the Sequential Test to demonstrate that there are no reasonably available alternative sites in areas with a lower probability of flooding that would be appropriate for the type of development proposed.
- 34. The application site lies in an area of high flood probability as defined by PPS25 know as Flood Zone 3a. PPS25 requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a Sequential Test. In this instance the Sequential Test has not been carried out.
- 35. Failure to apply the Sequential Test at an early stage in the determination process can result in a waste of time and money for all parties in the completion and assessment of FRA's for sites that are subsequently refused planning permission on the basis of the Test.

- 36. The attached proforma provides a framework for applying the Sequential Test to planning applications and we recommend that it is completed and submitted to your Authority as part of the application.
- 37. The Exception Test should be applied by decision-makers only after the Sequential Test has been applied. Application of the Exception Test without prior knowledge of the Sequential Test results can represent a waste of time and money for all parties. Failure of the Sequential Test is sufficient reason in itself for a refusal of planning permission. This approach reflects the requirements of PPS25 Paragraph 14-20 and annex D.

Environmental Health Unit

38. No objections but recommends conditions in respect of land contamination, and to restrict the hours of working.

Head of Housing

39. No response received

Care For Your Area

40. No response received

Travel Plan Officer

41. No response received

Sport England

42. Response awaited, due 10th December 2007.

Development and Regeneration

43. No comments received.

Northumbrian Water Limited

44. No objection to the proposed development, but would like to be informed of the authority's decision.

Councillors

45. Councillor Alexander Cunningham has requested an extension of time to respond until 7th December 2007

Billingham Town Council

46. No response received

Northern Gas Networks

47. No objections and encloses mains records for the area.

NEDL

48. No objections and encloses mains records.

Health and Safety Executive

49. The Health and Safety Executive does not advise on safety grounds against the granting of planning permission.

Stockton Police Station - Eddie Lincoln

50. Copy of response sent to the applicant received, which outlines responsibilities, offers consultation and advice, and sets out local crime figures.

Corporate Director Children, Education and Social Care

51. No comments received

PUBLICITY

52. The planning applications have been publicised by means of individual letters, site and press notice.

In respect of Application (A), two letters of representation have been received, and their contents are set out below:

- 53. Maurice Bryson of 169 Marsh House Avenue, Billingham comments that he is happy with the new building proposal, but students don't use the parking area allocated on site now, apart from 4 or 5. The college staff must ensure that all vehicles go on site for drop off or pick up and not causing traffic jams etc on Braemar and Marsh House Avenue parents dropping off students who can't drive etc also buses taking students for day visits to other Universities etc must be made to pick up and drop off on Campus Car parks this will remove unnecessary congestion of traffic on an Lane road as it is now. Marsh House Avenue has become due to corner islands etc, a serious accident waiting to happen now, this road now carries large foreign vehicles which when classified its road status by Cleveland police and the amount of vehicle has quadrupled and the length and the weight are also different to the classification given years ago.
- 54. Mrs E Collingwood of 254 Marsh House Avenue, Billingham has no objection to the proposal.

In respect of Application (B), six letters of representation have been received, and their contents are summarised below:

- 55. Mr S E Murray of 93 Low Grange Avenue accepts the proposal for the extension at Bede Six Form College Hale Road Billingham
- 56. Michael Keenan of 21 Low Grange Avenue comments that the football pitches are very close to the houses on Low Grange Avenue, as close as 2 metres. There will obviously be a lot of shouting from the football matches given that they will be so close to the houses and the amount of games that will be played on them it is going to impact on our quality time in our garden.

The plans don't say if there will be any extra lighting around the pitches, will the pitches be used only by the college pupils, what times will they finish playing, will they be used at weekends?

- 57. Mrs D Hutchinson and Mr J Millar of 25 Low Grange Avenue are concerned that the football pitches are to be near the back of their house, and that the fences will not be high enough to stop balls going into rear gardens, and that garden ornaments may be broken. There is some worry about noise and swearing from football players and people watching the game. This would spoil use of the garden. The pitches should be set further from the existing houses. Further to this, who would keep the pitch side of the fence tidy?
- 58. The Occupier of 23 Low Grange Avenue has concerns in respect of the noise that would come from shouting all day and at the weekend, and balls coming into the gardens. Floodlights would be a problem. Use of the pitches in the day would be acceptable, but this plus also school holidays would need to be agreed in writing.
- 59. Mr & Mrs H S Penman of 47 Low Grange Avenue whilst in principle consider that the proposal is an excellent idea, are concerned that the field is on a flood plain, and during periods of heavy rain there is always water standing on the field. With an artificial pitch this would worsen, so good drainage is paramount. This may also affect the gardens of neighbouring properties, and may be made worse if the drainage in the field was done correctly. Also comment that the pitches are extremely close to the perimeter of the back gardens in Low Grange Avenue. Footballs and Rugby balls could easily be kicked into gardens, causing a nuisance at best and damage at worst.
- 60. Mrs E Collingwood of 254 Marsh House Avenue, Billingham has no objection to the proposal.

PLANNING POLICY

- 61. <u>National planning policies</u> relating to this proposal are set out in Planning Policy Statement 1 Delivering Sustainable Development, Planning Policy Guidance 9 Biodiversity and Geological Conservation, Planning Policy Guidance Note 17 Planning for Open Space, Sport and Recreation, Planning Policy Guidance Note 13 Transport, and Planning Policy Statement 25 Development and Flood Risk.
- 62. 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;
- 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 REC1

Development which would result in the permanent loss of playing space will not be permitted unless:

- (i) Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site, or
- (ii) Alternative provision of equivalent community benefit is made available, or
- (iii) The land is not required to satisfy known local needs.

Policy TR15

The design of highways required in connection with new development and changes of use will provide for all the traffic generated by the development, while the parking will normally be required to accord with standards set out in the Stockton on Tees Borough Council Design Guide & Specification Edition No. 1.

Policy EN32a

Proposals for new development shall not be permitted within the indicative flood risk areas, as shown on the Proposals Map, unless it can be demonstrated by means of a Flood Risk Assessment and sequential test that:

- i) There is no alternative option at no risk or at a lower risk of flooding;
- ii) There will be no increased risk of flooding to the development; and

Where development in high-risk areas or development which would increase the risk of flooding is permitted, it must include appropriate alleviation or mitigation measures to be funded by the developer.

MATERIAL PLANNING CONSIDERATIONS

63. The main planning considerations relate to national and local planning policy implications, the appropriateness of the design of the building and layout of the site and its impact on local visual amenities, the likely impact on the amenity of the occupants of neighbouring properties, flood risk, protected species, open space and playing fields, and access and highway safety.

Planning Policy Implications

64. Viewed against policies in the Adopted Stockton on Tees Local Plan, the site is within the limits of development where there is a presumption in favour of development subject to an assessment of the individual environmental impacts. In terms of the principle of the development on this site, the application proposes replacement and improved educational and sporting facilities, which are to be welcomed. However final support is dependent on the complete assessment, which can only be made once the final details have been submitted.

Design, Layout and Visual Amenity

65. The design of each of the proposed buildings is considered acceptable, both in their right and as part of the wider development. Their location within a cluster of educational buildings and set back from Marsh House Avenue ensures that these modern buildings are

- not incongruous in the street scene. The proposed planting within and around the boundaries of the college site is essential as it would assist to soften the edges of the development, which is important given that the site within open playing fields.
- 66. The Sports Centre is close to the College Building and would, in the majority of views, be seen against or adjacent to the college building. The playing pitches however are close to site boundaries leaving no opportunity for planting to either soften the impact of the high fences posts or other structures within the site, or to help screen the development form neighbouring properties. This aspect needs to be addressed.

Amenity of the Occupants of Neighbouring Properties

- 67. The proposed College and Sports Centre Buildings are located distant from neighbouring residential properties, and would not therefore have an adverse impact on the amenity of the occupants of those dwellings either through the day-to-day comings and goings or during teaching time. The applicant has indicated that the buildings would be insulated, particularly in the specialist music areas of the College Building.
- 68. As proposed, the playing pitches are immediately adjacent to residential properties on Low Grange Avenue. In this location, and as raised by neighbours, the use of the pitches may well give rise to undue noise and disturbance. The layout leaves little space for intervening planting or maintenance, and notwithstanding the proposed fencing, may well result in balls falling on residential properties. Again this issue needs to be satisfactorily resolved before final planning permission is granted.
- 69. The nearest non-residential properties are Oakdene Primary School, Billingham Campus, and the New Life Centre. It is not considered that the proposal would have an unacceptable adverse impact on the amenity of the users of those properties.

Flood Risk

70. Cowbridge Beck passes through the site, and the applicant has submitted a flood risk assessment (FRA), however, the Environment Agency objects to the proposal, as the FRA does not adequately address flooding issues at the site. The applicant has been made aware of the need for further information, not least the requirement for a Sequential Test, which would then allow the Council to undertake the Exceptions Test, as set out in PPS 25. At the time of writing the applicant has not responded.

Protected Species

71. Demolition of an existing building is proposed. However, the building is relatively modern and not in close proximity to a woodland, but adjacent to Cowbridge Beck. Information in respect of protected species has been requested from the applicant, but at the time of writing none has been submitted. Whilst taking the precautionary principle, given the site circumstances it is not considered likely that protected species or habitats would be disturbed by demolition works.

Open Space and Playing Fields

72. The new building and car park are to be provided on playing field associated with the adjacent Billingham Campus. A series of new playing pitches and a sports centre are to be provided on the site of the existing Bede College, nursery, and existing playing fields.

- 73. Whilst the proposal would overall lead to a loss of playing fields, new playing pitches are to be provided, and this in itself may well in principle compensate for the quantitative loss. However, the submitted plans show a cramped arrangement, leaving little space between pitches, the sports centre, the Cricket Square, and in particular surrounding residential properties. Notwithstanding the proposed boundary treatment, this arrangement is considered to be unacceptable in terms of the function of the facilities and its likely impact on the amenity of the occupants of neighbouring properties particularly those residents on Low Grange Avenue.
- 74. The comments of Sport England in this respect are not available at the time of writing and are vital to the planning assessment. Any response will be set out in an update report, and an assessment of compliance with the requirement of STLP Policy REC1 and the advice given in PPS 17 will be made.

Access and Highway Safety Considerations

75. It is proposed that access to the site is via a new opening to Marsh House Avenue. A new signal controlled junction is proposed. Car and cycle parking provision is set out in paragraph 22 of this report. In light of the lack of information identified by the Urban Design Manager, an assessment of the likely impacts of the proposal on access and highway safety cannot be made.

CONCLUSION

76. In view of the fact that the scheme may well change, a complete assessment of the proposed development cannot be made in all respects. However, it is considered that the principle of proposed development on this site is acceptable, subject to individual environmental impacts, and on considering those impacts, the design and layout of the proposed buildings and the landscaping around the college building is considered acceptable. The lack of information and attendant uncertainties surrounding highway safety, flood risk, playing space, protected species and residential amenity matters means that full consideration of the unresolved matters cannot be made at this stage. Any progress will be reported in an update report.

Corporate Director of Development and Neighbourhood Services Contact Officer Ms Jane Hall Email Address: jane.hall@Stockton.gov.uk Telephone No 01642 528556

Financial Implications

None

Environmental Implications

See report

Community Safety Implications

N/A

Human Rights Implications

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

Ward and Ward Councillors

Ward

Billingham East Councillor M. N. Stoker Councillor A. Cunningham Ward Councillor **Ward Councillor**