

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

UPDATE REPORT

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

07/2147/FUL

Crofton Road, Stockton On Tees, TS18 2QZ

Erection of 5 no. office blocks with associated external works (demolition of existing buildings)

Expiry Date: 8 February 2008

SUMMARY

No further information has been submitted by the application in support of the Transport Assessment or alterations to the plans showing the site layout. The last details to be received are those submitted before the committee agenda was issued. These superceding plans and a revised Design & Access Statement received on 9 January 2008 and further superceding plans submitted on 15 January 2008 are the subject of re-consultation. These drawings represent significant changes to the proposed scheme as originally submitted. The drawings and Design and Access Statement were sent to consultees and are the subject of further public consultation the period for responses expires on the 6 February 2008.

Further responses from consultees have been received from the Urban Design Highway Engineers, the Highway Agency and Environmental Health Unit. The first comments have been received from the Spatial Planning Section which raise a number of issues that are considered below as to whether there are additional reasons for refusal. The conclusion is that this is not the case. The recommendation to Members therefore stays as;

RECOMMENDATION

Planning application 07/2147/FUL be Refused for the following reason(s)

- 01. *The applicants have not demonstrated through a Transport Assessment that the traffic generated by the proposed development would not have an adverse impact on the wider highway network and surrounding junctions. Furthermore the scheme has not been supported by a Travel Plan. The development therefore conflicts with Stockton-on-Tees Local Plan policies GP1 and TR15, Stockton-on-Tees Core Strategy Policy 2 (CS2) – Transport and PPG13: Transport - March 2001.***

- 02. *The proposed scheme layout has not provided an acceptable layout regarding the provision of car parking, bicycle storage, position of storage bins and landscaping. The development therefore conflicts with Stockton-on-Tees Local Plan policies GP1 and TR15, Stockton-on-Tees Core Strategy Policy 2 (CS2) – Transport and PPG13: Transport - March 2001.***

CONSULTATIONS

1. The following responses have been received in reply to consultation on the above latest plans since the agenda was produced:

Urban Design Engineers

Traffic Engineers

2. The amended plans show 111 car parking spaces, which is in accordance with SPD3: Parking Provision for New Developments, however there are 4 spaces, close to the second access from Crofton Road, which have trees either too close or within the space itself. This needs to be amended.

3 of the 4 bin stores shown are behind car parking spaces, trees or building canopies making them inaccessible, particularly once the car parking spaces are in use. These need to be relocated.

Cycle parking has been shown to the rear of the block adjacent to the travelling crane, this is an unacceptable location. Cycle parking should be close to the building entrance, covered and secure.

Transport Assessment comments remain as previous.

Traffic Engineers

Additional Verbal Response

4. It has been verbally reported that as at to-days date 30 January 2008 no further information or Transport Assessment had been received. It would also be too late for them to be able to consider anything submitted from now on and respond by the target date for a decision of 8 February 2008.

Highway Agency

5. Further to our recent telephone conversation and our letter dated 8 January 2008 regarding the above mentioned development, we are writing to request that you do not determine the application at this time.

In our original response to the submitted Local Transport Projects Transport Assessment (TA) dated 8 January 2008, we requested some additional information relating to the trip generation, mode split and wider transport impact to be provided. It was also noted that a Travel Plan for the site had not been submitted in order to encourage trips by alternative modes of travel to the single occupancy car trip

We also noted that the planning application applied for 6,195 sq.m of B1 office, whereas the TA assessed only 3,525 sq.m of B1 office. However, we now understand that the proposed GFA of the office units is 3,915 sq.m.

We have not yet received a revised Transport Assessment to reflect either our comments or the increased GFA, and are therefore not yet in a position to

comment on the likely impact upon the trunk road network from this development.

I trust that the above is clear and clarifies the position of the Highways Agency regarding this planning application. However, if you require any further information then please do not hesitate to contact me.

Environmental Health Unit

6. Further to your recent memorandum regarding the amended/superseding plans for the above, I have no further comments to make.

Spatial Planning Section

7. The site is not specifically allocated in the Local Plan however, it is recognised that the area is a long established industrial area. Given the fact that the proposal involves a town centre use, as defined by para. 1.8 of PPS6, the application should be considered in line with guidance in this document, Alteration No.1 and draft PPS4.

Policy IN1 of the adopted Local Plan allocates sites which are suitable for both office and industrial uses. Paragraph 3.13 of the Local Plan identifies that the locations allocated were generally selected where there is a high level of amenity which is suitable for a mix of uses. It is considered that there are still a number of allocated and committed sites available within the borough which provide developers a choice of locations for office development.

Policy S2 of alteration No.1 states inter alia that proposals for key town centre uses will not be permitted unless they are accompanied by a needs assessment, be located in sequentially preferable locations.

Furthermore, paragraph 3.9 of PPS6 states that, "Need must be demonstrated for any application for a main town centre use which would be in an edge-of-centre or out-of-centre location and which is not in accordance with an up to date development plan document strategy." PPS6 also identifies that a proposal should be assessed against other criteria i.e sequential site selection, scale etc etc. Draft PPS4 states that an evidence based approach should be adopted for proposals which do not have support of plan policies, consider proposals favourably unless there is an economic, social or environmental justification not to and ensure they take account of longer term benefits as well as costs of development.

The site is considered to be out of centre and as it is not allocated for B1 uses it is not in accordance with the development plan strategy. Furthermore it is within a short distance of the North Shore site which is allocated as an important mixed use regeneration site within the RSS. As the site is not part of the development plan strategy and could impact on the delivery of an important regeneration initiative It is considered that an evidence based approach is required to justify this proposal.

It should be noted that the Council is currently preparing an Employment Land Review and will shortly be drafting reports for Planning Committee and Cabinet regarding future employment land forecasts, this evidence will support the future development plan strategy for the borough. The next stage of the work, expected to commence in the near future, involves identifying which sites are suitable for

inclusion within the employment land portfolio. Assessment of this sites suitability could therefore take place through the next stage of the employment land review.

MATERIAL PLANNING CONSIDERATION

8. The Transport Assessment (TA) submitted with the application has been found to be inadequate in that it has not considered all the highway issues required by the Highway Agency and Urban Design Highway Engineers. Various aspects of the road network and committed developments in the area have not been taken into account. Furthermore the proposed development has changed in that a proposed café has been deleted from the scheme and the car parking increased. An updated TA is required before these aspects can be considered and one has not been received to-date.
9. If a revised TA were to be received it would not be possible to give statutory consultees the required consultation period of 21 days before the expiry of the target date for a decision of 8 February 2008. As the appropriate information has not been submitted the Highway Agency has requested that the application is not determined at this time. This is not a formal direction and therefore does not prevent the local planning authority from refusing permission.
10. The Urban Design Highway Engineers point out that there are still deficiencies with the site layout regarding the parking places and trees and location of bin stores and cycle parking. The scheme as submitted is not acceptable. They also require an updated TA.
11. The Spatial Planning Section has referred to the fact that the proposed use involves a town centre use, as defined by paragraph 1.8 of PPS6 - Planning for Town Centres. The site is considered to be out of centre and that it is not allocated in the Local Plan for B1 uses so the proposals are not in accordance with the development plan strategy. They consider that a Needs Assessment is required as there are sequentially preferable locations for office development in the defined town centre or on a site allocated in the local plan. In addition a sequential site selection process should be taken with an evaluation of the scale. Draft PPS4 is referred to which states that an evidence based approach should be adopted for proposals which do not have support of plan policies and that proposals should be considered favourably unless there is an economic, social or environmental justification not to and ensure they take account of longer term benefits as well as costs of development.
12. Notwithstanding the above policy approach it must be taken into account that Crofton Road is a long standing industrial area that contains a mixture of industrial, storage and distribution businesses and that it is situated within the developed area of the town a kilometre from the town centre. Crofton Road may not be allocated in the Local Plan for new industrial development or for improvement, but that is the existing mix of development in this area. The information needs to be in place if an evidence based approach is to be used. This is currently not in place as the Council is currently preparing an Employment Land Review. Future employment land forecasts have not been produced, nor have sites been identified for inclusion within the employment land portfolio. As a determination has to be made on the application at this time a decision cannot be delayed until an assessment of this sites suitability has been made through the next stage of the employment land review.

13. The spatial Planning Section comments also refer to the fact that Crofton Road is within a short distance of the North Shore site which is allocated as an important mixed use regeneration site within the RSS. The application site is therefore very close to an area that is to be redeveloped and is allocated for mixed uses including industry, commerce, housing, sport, recreation, tourism and education. The boundaries of the North Shore development extend along the north bank of the Tees past the application site and further from the town centre. Crofton Road would be an area for future consideration for any expansion of the North Shore proposals.
14. It may also be worth noting that industrial, storage and distribution businesses are classified as B1, B2 and B8 uses. (The industrial estate also contains some uses like the coach garage approved on the application site which are deemed to be *sui generis* and therefore outside any Use Class.) There are portakabins on the application site which serve as offices in association with the storage business. Use class B1 includes offices where the public are not expected to visit. (Offices for visiting members of the public are in Use Class A2 and are Banks, Building Societies and others appropriate to a shopping street.) The change of use of an industrial site in Use Classes B2 or B8 to B1 which includes offices would not require a specific planning permission. Therefore offices could occupy these or many other existing units at Crofton Road without a specific consent.

CONCLUSION

15. It is therefore concluded that taking all these issues into account that the proposed development should not be opposed on these policy grounds. It is considered that the recommendation should remain as previously set out in the agenda to Members.

Financial Implications: As report.

Environmental Implications: As report.

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

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers: Stockton-on-Tees Local Plan

Stockton-on-Tees Core Strategy Preferred Options September 2007.

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Contact Officer Mr Andrew Bishop Telephone No 01642 527310**

WARD AND WARD COUNCILLORS

Ward	Stockton Town Centre
Ward Councillor	Councillor D. W. Coleman
Ward	Stockton Town Centre
Ward Councillor	Councillor P. Kirton