

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**DATE 5 NOVEMBER 2008**

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

**08/1410/FUL**

**Wynyard Park Access Road, Wynyard Park,  
Construction of access road and associated works**

**Expiry Date 29 July 2008**

**SUMMARY**

Determination of the application has been delayed due to continued negotiations with National Grid and Health and Safety Executive regarding the impact and mitigation measures required in respect of a high-pressure gas main, which crosses the site.

This application proposes a development, which straddles the boundary of Stockton and Hartlepool Borough Council's administrative areas. The proposed development relates to land within Stockton and Hartlepool, and applications have been submitted to both Authorities for consideration.

Hartlepool has taken the lead in the determination process and carried out the consultations and notifications, Stockton has consulted Councillors, Parish Council and the Urban Design Manager only.

The application proposes the construction of an access road at Wynyard Park. The road would replace the existing but shorter Glenarm Road. The new road would be to adoptable standards, and consist of a two-lane dual carriageway main spine road with two roundabouts and spurs. Planting is proposed along the road verges and upon roundabouts. Tree and shrub planting is proposed for the greater length of the central reservation of the main spine road. Where this ends, boulevard tree planting with hedge mix within the central reservation is proposed.

No responses have been received from Stockton Councillors or Grindon Parish Council. The Urban Design Manager has no objection to the scheme on highway and landscape grounds subject to a condition in respect of root barriers.

Hartlepool has received confirmation that there are no objections to the scheme from the Highway Agency, Elwick Parish Council consider that the proposal would lead to increase in traffic on the A689, and the Council should ensure that there are plans to relieve the present morning rush hour traffic. National Grid raises no objection to the proposal. Using the PADHI+ system of consultations, the Health and Safety Executive (Gas and Pipeline Inspector) advises against the development. Following discussions with the HSE, they raise no objection subject to appropriate conditions [regarding a high pressure gas main].

Discussions have taken place between the Councils and HSE Pipelines Inspector and National Grid regarding protection measures for the main, which bisects the site in the south. Measures are proposed, but have not been agreed. However, prior to grant of any planning permission, the application information, including the detailed responses of the HSE Pipeline Specialist and National Grid along with the agreed planning conditions are to be forwarded to the National Grid

and HSE Hazardous Installations Directorate for a final screening to establish whether the application should be called in for determination by the Secretary of State in accordance with the Regulations.

In response to publicity, nine (9) letters of representation have been received, objecting to the proposal on the grounds that the proposal will have an adverse impact residential amenity, increase in the volume of traffic that would arise, lead to air pollution, loss of woodlands, loss of greenfield site, loss of wildlife habitat, lack of neighbour consultation, that a larger access is not needed, and the purpose of the access (perhaps to serve the hospital).

Overall and subject to planning conditions and securing a unilateral undertaking, it is considered that the proposal generally accords with the Masterplan, that the landscaping proposal is acceptable (subject to a condition regarding root barriers), that the proposal would not have an adverse impact on the amenity of the users and occupiers of neighbouring residential and commercial properties. Furthermore, it is considered that the proposal would not have an adverse impact on access and highway safety considerations, ecology and tree cover, air quality, would be appropriately drained and would not have any adverse implications for flood risk.

## **RECOMMENDATION**

***It is recommended that:***

- ***Subject to written confirmation that National Grid and the HSE are satisfied with the conditions legal agreement and do not wish to call in the planning application for determination by the Secretary of State, that Planning application 08/1410/FUL be approved subject the conditions set out below and securing a unilateral undertaking which reflects the heads of terms set out below;***

***and***

- ***Hartlepool Borough Council be notified of this decision and advised that Stockton on Tees Borough as the adjacent authority has no objection to approval being granted for the section of pipeline within its area.***

## **RECOMMENDED CONDITIONS**

1. ***The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.***

<b><i>Plan Reference Number</i></b>	<b><i>Date on Plan</i></b>
<b><i>51467/P/0011 REV G</i></b>	<b><i>3 June 2008</i></b>
<b><i>51467/P/005 REV X</i></b>	<b><i>3 June 2008</i></b>
<b><i>51467-P-012 REV F</i></b>	<b><i>3 June 2008</i></b>
<b><i>20 REV A</i></b>	<b><i>3 June 2008</i></b>
<b><i>2459.01 A</i></b>	<b><i>3 June 2008</i></b>
<b><i>TSPCE 12_J559_Rev 0806</i></b>	<b><i>23 October 2008</i></b>
<b><i>CE12 Design SD3 600mm,</i></b>	<b><i>23 October 2008</i></b>
<b><i>TSPSSW22_J537_Rev 0807</i></b>	<b><i>23 October 2008</i></b>

**Reason: To define the consent**

- 2. The access road authorised by this permission shall be constructed in accordance with the methodology and specification set out in documents CE12 Design SD3 600mm, TSPCE 12\_J559\_Rev 0806 and TSPSSW22\_J537\_Rev 0807 received by the Local Planning Authority on the 22 October 2008. For the avoidance of doubt the concrete impact protection slab to be provided above the existing gas pipeline and cross-hatched on the plan attached hereto shall be provided as part of the initial road construction.**

**Reason: - In the interests of the health and safety of people using the road.**

- 3. Before any part of the dual carriageway access road is brought into use, a barrier shall be provided to the satisfaction of the Local Planning Authority as to prevent the use by the public of that part of the access road showed coloured green on the plan number KVM08/10 Drg No.20 received by the Local Planning Authority on the 22 October 2008 attached to this permission. That barrier shall be maintained and the part of the access road shown coloured green on the plan shall not be used by the public until the section of the pipeline shown marked orange on the plan KVM08/10 Drg No.20 received by the Local Planning Authority on the 22 October 2008 attached hereto has been replaced by a new thick wall pipeline compliant with the relevant specification for a high density traffic route outlined in the Institute of Gas Engineers Technical Design Document IGE/TD/1 Edition 4 unless otherwise agreed in writing by the Local Planning Authority. Details of the proposed scheme for the replacement of the section of pipe shall be first agreed in writing by the Local Planning Authority. Nothing in this condition shall preclude the use of one lane in each direction of this part of the dual carriageway road prior to the replacement of the section of pipeline in accordance with this condition.**

**Reason: - In the interests of the health and safety of people using the road.**

- 4. Prior to commencement of the development of the dual carriageway hereby approved, a system for automatic vehicle detection of the arrival and departure of vehicular trips to and from the development hereby approved shall be submitted to and approved in writing by the local planning authority. The system so approved shall be installed and commissioned to the written satisfaction of the local planning authority prior to the development being brought into use. It will then be maintained on a basis to be agreed in writing with the local planning authority and operated to the satisfaction of the local planning authority on that basis.**

**Reason: - To enable the monitoring traffic movements upon a section of the road hereby approved to ensure that the volume of traffic using the road does not exceed the limit set out condition 7 of this approval.**

- 5. The information obtained from the approved system of automatic vehicle detection detailed in condition 5 above shall be submitted to the local planning authority in such form and at such time intervals as agreed in writing with the local planning authority when the system is approved.**

**Reason: - To enable the local planning authority to monitor the volume of traffic using the road prior to condition 4 of this approval being satisfied, in the interests of the health and safety of people using the road.**

6. **Not more than 2000 vehicles in total in any hour shall be permitted to use that section of the access road referred to in condition 4 until the works to the pipeline have been carried out in accordance with that condition.**

**Reason: - In the interests of the health and safety of people using the road.**

7. **Prior to bringing into use any part of the access road a scheme shall be submitted to the local planning authority to restrict the volume of traffic on that part of the access road referred to in condition 4 to not more than 2000 vehicles in any hour in total. Such scheme shall include details of additional physical works to those referred to in condition 4 and/or operational restrictions as may be required to ensure compliance with condition 7 together with trigger points for the implementation (or phased implementation) of such measures. The approved scheme shall be implemented and maintained in strict accordance with its terms until the works to the pipeline referred to in condition 4 have been completed to the satisfaction of the local planning authority.**

**Reason: - In the interests of the health and safety of the people using the section of road.**

8. **All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the completion of the development. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.**

**Reason: In the interests of visual amenity.**

9. **No development shall take place until a scheme for the protection during construction works of all existing trees to be retained within 10m of any part of the development hereby approved in accordance with BS 5837:1991 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials (other than equipment, machinery and materials necessary for the discharge of this condition) are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.**

**Reason: In the interests of the health and appearance of the preserved trees.**

10. **Prior to the commencement of the development hereby approved a scheme for the provision of tree root protection barriers for trees to be planted in conjunction with the landscaping details set out in Drawing no. 2459.01 A produced by AWP and received by the Local Planning Authority on the 7 April 2008 shall be submitted to and approved in writing by the Local Planning**

***Authority. The scheme shall thereafter be implemented in line with the agreed details and shall remain in place throughout the lifetime of development unless otherwise agreed in writing by the Local Planning Authority.***

***Reason: In the interests of the health and appearance of trees.***

- 11. The development hereby approved shall not commence until a lighting scheme, including details of street lighting columns and heads has been submitted to and agreed in writing by the Local Planning Authority, once agreed the scheme shall be constructed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority***

***Reason: In the interests of visual amenity and highway safety.***

- 12. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.***

***Reason: In the interests of visual amenity.***

## **HEADS OF TERMS**

- (1) Unless otherwise agreed in writing by the Local Planning Authority all construction traffic to the site (edged in colour showing all of development site Hartlepool pool and Stockton) shall be from the haul road from the western roundabout (indicated on plan) while the dual carriageway, approved by application H/2008/0222, is being used as a single carriageway.**
- (2) If an any hour a total of more than two thousand vehicles cross the section of road marked in green on the plan attached hereto and either**
- A) The works to the pipeline described in condition 4 attached to planning permission have not been carried out in full; or**
- B) Such other operation to the pipeline have not been carried out to the satisfaction of the Local Planning Authority so as to secure the same objectives as to the works referred to in (A)**

**The developer shall forthwith implement the scheme under condition 8 to the next level of restriction to further physically limit the amount of vehicles crossing this section of road to less than 2000 movements in any one hour. If for any reason the measures required by condition 8 cannot be implemented with 48 hours the road shall be closed forthwith and remain closed until the required measures have been implemented.**

- (3) Details of an advanced payment bond for the unadopted highway.**

## **PLANNING HISTORY**

1. Outline planning permission (96/2069/P) for B1, B2 and B8 uses was granted in January 1997 for the Wynyrd Park site an area of 75 hectares. All matters of detail were reserved for future approval. A similar approval was granted for the rest of the estate falling within the adjacent Hartlepool Borough area. The outline application has not been fully implemented and an application was made to Stockton and Hartlepool Councils under

section 73 of the Town and Country Planning Act 1990 to vary the condition attached to the grant of planning permission in 1997. Approval of these applications by Stockton and Hartlepool Borough Councils in April and June of 2000 respectively, has served to extend the period for submission of reserved matters until April 2010.

2. One of the conditions of the 97 permission (7) required that no buildings within the business park should cover more than 25% of the area of any one development plot. A phase 1 Masterplan has been agreed in September 2004 in accordance with condition 6 of the planning approval. A revision of that Masterplan was agreed in 2007.
3. Some limited development on the site has already occurred including the provision of an access road, the NG Bailey offices and the Lion Court building. In July 2007 reserved matter approval was granted for the erection of B1/B2/B8 units with a total floorspace of 11,149 m<sup>2</sup> (120,000 sq ft) on part of the estate located immediately east of the NG Bailey site (application No 07/1218/REM). Work on the construction of these units, known as the TV120 site, has commenced and is virtually completed. Reserved matter approval for the land to rear for the erection of 5 No warehouses with ancillary office space on Wynyard Park on part of the estate located immediately north of the NG Bailey site and the TV120 site was granted earlier this year. The site formed the bulk of the remaining underdeveloped area with an extant outline planning permission for B1, B2 and B8 uses
4. An application for reserved matters approval for the adjoining land in Hartlepool for a business park to accommodate 275,205 sq m of business (B1) floorspace has been approved by Hartlepool Borough Council and following the signing of a section 106 agreement the approval was issued in April. Your officers were involved in discussions on that development to ascertain the Council's interests are protected and to that end agreement was reached for on funding for the signalisation of the roundabout entrance on the A689, the A19/A689 junction and potentially a High Occupancy Vehicle lane on the west bound carriageway of the A689.

## **BACKGROUND**

5. This application proposes a development, which straddles the boundary of Stockton and Hartlepool Borough Council's administrative areas. The proposed development relates to land within Stockton and Hartlepool and applications have been submitted to both Authorities for consideration.
6. As Hartlepool has taken the lead in the determination process and carried out the consultations and notifications, Stockton has consulted Councillors, Parish Council and the Urban Design Manager only.
7. The site to which this application relates forms part of the Wynyard Business Park development to the north of the A689 at Wynyard and is located within the administrative boundaries of both Stockton and Hartlepool. The application site relates to a site to be found to the west of the former Samsung site and to the north of the residential element of the Wynyard development.
8. The accompanying Access Road Report states that the proposed development is to allow the upgrade of the existing carriageway to a dual carriageway to increase capacity within the development site and to limit congestion on both the internal and adjacent local road network.

## **PROPOSAL**

9. The application proposes the construction of a replacement access road at Wynyard Park. The road would replace the existing but shorter Glenarm Road. The new road would be to adoptable standards, and consists of a two-lane dual carriageway main spine road with two roundabouts. From the spine road, a short length of road is shown at the southeast corner, with others serving Lion Court, NG Bailey, TV 120, HV 120. Along the remaining length of the spine road, other spurs to the north and south would serve future development plots. The road terminates in the north west of the site with a south projecting spur.
10. Planting is proposed along the road verges and upon roundabouts. Tree and shrub planting is proposed for the greater length of the central reservation of the main spine road. Where this ends, boulevard tree planting with hedge mix within the central reservation is proposed.
11. Finer detail shows a footpath and cycleway with tactile surfacing at junctions. A bus lay-by is incorporated in front of the development at TV 120.
12. A high-pressure gas main (HPGM) runs through the southern part of Wynyard Park. Like the existing road, the line of the new road bisects the main south of Lion Court. In order to protect this main, the development involves a concrete impact protection slab underneath the proposed widened access road and above the main. Details of slab specification and safe working arrangements have been received.
13. An Environmental Summary covering the following matters accompanies the application:
  - Landscape and Visual
  - Ecology
  - Geology, hydrology and hydrogeology
  - Noise and Vibration
  - Air Quality Archaeology and Cultural Heritage

## **CONSULTATIONS**

14. The following consultees were notified of the proposed development and any comments received are set out below. Furthermore, for Members information the consultation responses received by Hartlepool Borough Council are included in this section of the report.

### **Consultation Responses - Stockton on Tees Borough Council**

#### Councillors

15. No responses received.

#### Grindon Parish Council

16. No response received.

#### Urban Design Manager

#### *Highways Comments*

17. The development should be designed and constructed in accordance with Stockton Councils Design Guide and Specification Residential and Industrial Estates Development current edition and to that end I comment as follows

- Visibility splays are adequate
- Carriageway width of 7.3m is in accordance with the Design Guide
- The width of the footway and cycle track is adequate
- Pedestrian and cycle crossing points are located at suitable locations

Having reviewed the proposed access layout I have no objection to the application.

*Landscape and Visual Comments*

18. I have reviewed the submitted documents and would support the application.

If consent is granted, the landscape proposals drawing should be revised to indicate the locations and specification of tree root barriers where trees are within 4.0m of the highway.

**Consultation Responses - Hartlepool Borough Council**

Highway Agency

19. No objections

Elwick Parish Council

20. 'The congestion on the A689 will increase considerably with this development on the side of the A689. The Council trusts you have plans to relieve the present morning rush hour problems where the traffic is already backed up to this roundabout'

National Grid – Interim Comments

21. No objection subject to appropriate conditions.

Health and Safety Executive (Gas and Pipeline Inspector) – Interim Comments

22. No objection subject to appropriate conditions.

**PUBLICITY**

23. As part of the joint working arrangements, Hartlepool Borough Council has notified neighbours and posted a site notice. As a result of that publicity, a number of residents in the Wynyard estate to south of A689 have emailed objections to the proposal, and the contents of the representations are set out below:

Timothy James Wingate, 14 Black Wood, Wynyard

The right to the peaceful enjoyment of our homes is being threatened.

Frances Smith, 12 Vane Close, Wynyard

I believe the traffic problems during peak hours are already at a high level for the area more road works and creating standstill traffic will cause air pollution and back on to the A19, which is already at saturation point.

Russell Grief, 5 Sheepdene, Wynyard Woods

This is another example of the destruction of a woodland/greenfield site, which will destroy the habitat of thousands of wildlife; while at the same time introduce even more traffic and fumes onto an already overburdened A689.

I object to this application.



Warren Kelay, 1 Swancer Court, Wynyard

As checked above this application is unlawful, as all full consultation process has not been followed to allow local residents to object. The correct lawful process has also not been followed, with alternative sites not being looked at.

Susan Saunders, by Email

I must object strongly to this planning application. Why do we need a larger access than is already there? This will mean more disruption with traffic on the overused A689. Wynyard housing estate has only the A689 for access. The queues of traffic are already far too heavy and often result in long queues at the roundabout in question. Can you believe that the A689 is the main link road between the A19 and busier A1? Neither can I! From Mrs Susan Saunders. After seven hours brain surgery last year I thought I would be able to relax here knowing the estate is safe. Not anymore.

Frances Smith by Email

I would like to object to the proposed access road. The reason for this application is unclear. I reside in Wynyard and cannot see the relevance of this access the disruption it would cause to traffic for no apparent reason is incomprehensible.

Mr Stephen Mulpetre, 18 Fulthorpe Grove, Wynyard

I object to this access road due to the lack of information to the future use of this road.

A Taylor, 38 Wellington Drive, Billingham

I wish to object to the this application on the grounds that it will constitute overdevelopment adjacent to a road that cannot cope with present levels of peak time traffic, and additional vehicle movements will only worsen this.

G A Maxwell, 12 Tempest Court, Wynyard

There appears to be little reason to further extend the road network on this specific site. There is a large area of land served by existing roads. There also appears to have been a stop to development on the site and it does seem likely that for a number of years the financial climate will not support further development. What is the purpose of this development? There is a suspicion that provision is being made for the development of facilities to support the proposed development of a new hospital. As the consultation process has not been completed it would create the impression that the consultation has been a sham and that a decision has already been taken.

**PLANNING POLICY**

24. 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 :- Regional Spatial Strategy (RSS), *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:-

**Regional Planning Policy - North East of England Plan Regional Spatial Strategy to 2021**

Policy 20 of the Regional Spatial Strategy (RSS) identifies the land allocated for business development at Wynyard within both Hartlepool and Stockton as a Key Employment

Location. These are sites, which are to be developed with a particular strategic function. Wynyard Business sites, as a whole, are identified as a 200-hectare location being developed for the prestige electronics and high technology sectors.

### **Adopted Tees Valley Structure Plan (February 2004)**

#### Policy EMP 6

About 540 ha is available for business parks or other prestige employment development in the following general locations:

- Darlington (about 70 Ha) Yarm Road, Faverdale
- Hartlepool (about 250 Ha) Wynyard Queens Meadow
- Middlesbrough (about 50 Ha) Hemlington
- Redcar and Cleveland (about 60 Ha) Redcar
- Stockton on Tees (about 120 Ha) Wynyard East Billingham

### **Adopted Stockton on Tees Local Plan (Adopted June 1997)**

#### 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 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 provision of off-street parking will normally be required to accord with the standards set out in the Stockton on Tees Borough Council Design Guide and Specification, Edition No 1.

#### Policy IN4

On the following sites business uses will be permitted where development incorporates a high standard of design in the layout and detailing of buildings and highways, and includes substantial landscaping:

- |  |       |
|--|-------|
| (a) Belasis Hall Technology Park, Billingham | 54 HA |
| (b) Wynyard Estate                           | 72 HA |

#### Policy EN7

Development which harms the landscape value of the following special landscape area will not be permitted:-

- (a) Leven Valley

- (b) Tees Valley
- (c) Wynyard Park.

#### Policy EN11

The planting of trees, of locally appropriate species, will be encouraged within the area indicated on the proposals map as community forest. In considering applications for planning permission in the community forest area, the Local Planning Authority will give weight to the degree to which the applicant has demonstrated that full account has been taken of existing trees on site, together with an appraisal of the possibilities of creating new woodland or undertaking additional tree planting. In the light of the appraisal the Local Planning Authority will require a landscaping scheme to be agreed which makes a contribution to the community forest.

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Guidance Note 13: Transport  
Planning Policy Statement 9 Biodiversity and Geological Conservation  
Planning Policy Statement 25: Flood Risk and Development

### **MATERIAL PLANNING CONSIDERATIONS**

- 25. The main planning considerations relate to planning policy, whether the proposal accords with the agreed Masterplan, landscape and visual impact, amenity of the occupants and users of neighbouring properties, access and highway safety, ecology and drainage and flood risk.

#### **Masterplan**

- 26. The proposed access road generally follows the line of the road shown on the Masterplan agreed in 2007. It is not considered therefore that the principle and general layout of development as agreed in the Masterplan would be compromised by this development and it is therefore acceptable in this respect.

#### **Landscape and Visual Amenity**

- 27. The application has been accompanied by a landscaping proposal which incorporates the provision of tree and shrub planting along the central reservation of the proposed carriageway, significant planting upon the proposed roundabouts and the provision of grass verge areas along the carriageways with significant tree and shrub planting upon them.
- 28. The Urban Design Manager offers support for the scheme on landscape grounds provided that tree root barriers are specified where trees are within 4.0 metres of the highway. This can be secured by condition.
- 29. It is considered that the provision of the proposed roundabouts and central reservations and their respective planting will significantly improve the visual amenity value of the site both internally and from existing public vantage points. In light of this, it is considered that the proposal accords with the aspiration of the RSS, Adopted Tees Valley Structure Plan and Adopted Stockton on Tees Local Plans to provide an attractive and high quality business environment, and is therefore acceptable.

#### **Amenity of the Occupants and Users of Neighbouring Properties**

- 30. The access roads are to serve development proposed on the business park. No doubt there will be some disturbance to existing occupiers of properties, although this will be short

term. Some objections raised by occupants of properties on Wynyard relate to the impact of the proposal on residential amenity. However, as the nearest residential properties at Wynyard are over 200 metres from the roundabout at the junction of the internal access road, it is not considered that noise and disturbance arising from the construction and operation of the new road would have an adverse impact on the amenity of the occupants of nearby residential properties.

### **Access and Highway Safety**

31. The supporting Access Road Report has taken into account the committed development that is to be served off the existing access road layout. This includes the detailed and outline planning consents within both the Hartlepool and Stockton elements of this site. The applicant's Highway Consultants consider the upgrade necessary as a consequence of the forecast traffic flows of the existing and proposed developments located within and adjacent to Wynyard Park. The report has concluded that the proposed works will facilitate the capacity required within the site to limit congestion on both the internal road network of the site and upon the adjacent local road network (A689).
32. Hartlepool Borough Council granted reserved matters approval earlier this year to secure the siting and storey heights for the creation of approximately 3 million sq ft of B1 business floorspace (H/2007/0182) within the boundary of Hartlepool. This approval secured with it £1.68m towards off site highway improvements along the A689/A19 corridor and £150,000 towards fund travel plan initiatives for the Wynyard Park development (in both Stockton and Hartlepool).
33. It is considered that the layout of the roads, footpaths that include 3.8m wide segregated footway/cycleway and the associated visibility splays are acceptable. Moreover the pedestrian and cycle crossing points are considered to be located at suitable locations.
34. With regard to the objections that have been received from local residents, it is necessary to again stress that the rationale behind this application has been explained in detail in the supporting Access Road Report, which has been submitted alongside the planning application, and as set out in paragraph 31.
35. The Head of Traffic and Transportation of the Hartlepool Borough Council and the Head of Technical Services raise no objection to the proposed development.
36. In light of the above, it is considered that the provision of additional highway capacity within the site will have a positive effect in reducing congestion upon the A689 as the Wynyard Business Park development is built out. It is therefore considered very unlikely that the proposed development itself will bring about detrimental highway safety conditions.

### **Ecology and Community Forest**

37. It is acknowledged that an amount of woodland will be removed to facilitate the provision of the roundabout and widened access road through the Swart Hole Plantation. Objection is also made in respect of the loss of wildlife and habitat.
38. It is considered that the loss of woodland is minor in relation to the overall retention of trees on the site. In addition it is considered that the additional planting of the site secured through the previous reserved matters application by way of a S106 Agreement and that proposed as part of this application will mitigate the loss.

39. The site is also within the community forest where the retention and planting of trees is encouraged. It is considered that in view of the above, the objective of this policy would not be compromised.
40. The Hartlepool Borough Council's Ecologist and Arboricultural Officer have raised no objections to proposed development, and therefore it is considered that the proposal is acceptable in terms of ecology, and its impact in respect of the community forest.

### **Health and Safety - High Pressure Gas Main**

41. At the advice of the Health and Safety Executive, detailed discussions have taken place between the pipeline operator (National Grid), the applicant, the HSE Hazardous Installations Directorate Gas and Pipelines Specialist Inspector.
42. Those discussions have realised measures to protect the integrity of the gas main both during the construction works and when the proposed dual carriageway becomes operational. These measures include the provision of the concrete impact protection slab in the first instance and the subsequent diversion/replacement of the existing pipeline under the road to thicker walled steel pipe.
43. It is acknowledged by National Grid that there is a significant lead time (approx 3-4 years) in diverting and replacing the pipe under the road, and that the practical way forward is for the road to be widened in conjunction with a concrete impact protection slab under the section of road which crosses the pipeline. Furthermore, that this section of the road shall, until the diversion/replacement of the pipeline has taken place be used as a single carriageway.
44. In order to secure this arrangement, a number of planning conditions are proposed, and any permission to be accompanied by a unilateral undertaking reflecting the heads of terms set out above. The applicant has agreed to the terms.
45. Both the HSE Pipelines Inspector and National Grid do not object to the proposal, subject to securing the agreed measures.
46. However, prior to the grant of any planning permission, the application information, including the detailed responses of the HSE Pipeline Specialist and National Grid along with the agreed planning conditions are to be forwarded to the National Grid and HSE Hazardous Installations Directorate for a final screening to establish whether the application should be called in for determination by the Secretary of State in accordance with the regulations as there remains a response from the Health and Safety Executive which advises against development.

### **Drainage and Flood Risk**

47. A Flood Risk Assessment was carried out and formed part of the assessment for the detail of the wider site. Drainage from the road is proposed to feed into the wider drainage strategy for the site and meet the greenfield run-off rates that have already been agreed. The wider drainage strategy will be designed in accordance with a Sustainable Drainage System.
48. In view of the above, it is considered that the proposed road will be properly drained and will not be at risk from or cause flooding elsewhere.

## **Air Quality**

49. Objection has been raised in respect the potential impact of the development on air quality.
50. The submitted Environmental Summary states that the site is not within an Air Quality Management Area and concludes that there is no particular air quality issue associated with the site or the surrounding area. The summary also refers to assessments made in respect of previous applications for the detail of development on Wynyard Park, which concluded that there would be no air quality issues associated with the development and operation of the site for business purposes.
51. In light of this, as the proposal would not result in a higher volume of development than previously assessed, and that it would assist in the free flow of traffic, it is not considered that the development would have an adverse impact on air quality.

## **Residual Matters**

52. Objectors refer to the lack of consultation. As Hartlepool has taken the lead in the determination process and carried out the consultations and notifications, Stockton has consulted Councillors, Parish Council, the Urban Design Manager, and the occupiers neighbouring commercial properties and Woodside Cottage and Woodside only.

## **CONCLUSION**

53. It is for the reasons discussed in detail above and subject to the recommended planning conditions and securing a Unilateral Undertaking that the application is recommended for approval. As stated above, should the Council be minded to approve the application then the application will be referred to the HSE Hazardous Installations Directorate to determine whether the application should be called in.

## **Corporate Director of Development and Neighbourhood Services**

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## **Financial Implications**

As report

## **Environmental Implications**

As report

## **Legal Implications**

As report

## **Community Safety Implications**

As Reported

## **Human Rights Implications**

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

## **Background Papers**

SBC Planning Application No. 08/1410/FUL

HBC Planning Permission Reference No. (H/2007/0182)  
Regional Planning Policy - North East of England Plan Regional Spatial Strategy to 2021  
Adopted Tees Valley Structure Plan (February 2004)  
Adopted Stockton on Tees Local Plan (June 1997)  
Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Guidance Note 13: Transport  
Planning Policy Statement 9 Biodiversity and Geological Conservation  
Planning Policy Statement 25: Flood Risk and Development

**WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Northern Parishes</b>
<b>Ward Councillor</b>	<b>Councillor J Gardiner</b>