

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**DATE 5 NOVEMBER 2008**

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

**08/2521/FUL**

**Wynyard Park, Wynyard, Billingham**

**Erection of 4 no. storey hotel and 2 no. storey pub/restaurant**

**Expiry Date 12 November 2008**

### **SUMMARY**

The application seeks full planning permission for the erection of a 99 bed "Express by Holiday Inn" Hotel together with a pub /restaurant on a 1.3 hectares site located in the south-eastern part of Wynyard Business Park immediately east of the existing roundabout junction and spine road. Outline planning permission (96/2069/P) for B1, B2 and B8 uses was granted in January 1997 for the Wynyard Park site which has an overall area of 75 hectares and which includes this site.

Significant concerns have been raised statutory consultations with the regard to the traffic and road safety impact and that the layout does not fully comply with the approved design guide for the estate. Both the Head of Technical Services and the Highways Agency have been critical of the Transport Statement and have requested more information. This additional information has only just been received and needs to be fully assessed to ascertain whether the highway concerns have been overcome. Revised plans on the layout of the pub to meet the Design Guide have also been received.

Local residents are similarly concerned about the traffic implications and 12 have objected to the proposal. They have also raised other issues – need for the development given other pubs and hotels in the area; loss of countryside, noise, visual impact, and setting a precedent for more similar development.

Taking on board the concerns of the statutory and bodies and local residents, a number of material considerations have been identified and assessed. These include as well as traffic and highway safety issues, planning policy, the need for the development, compliance with the Design Guide and some other residual matters. Whilst in principle the provision of a hotel and pub/restaurant may be acceptable, the information submitted with the application is at present insufficient to justify a recommendation of approval. The scheme does not fully comply with the Business Park Design guide and may require significant changes to ensure that it does. More importantly, concerns over the traffic and road safety impact have not been resolved.

In the circumstance it is recommended at present is to refuse on the basis that insufficient information has been provided to demonstrate that the development will not have an adverse impact on traffic and road safety. Also that it is not fully compliant with the established design guide and may undermine the need to establish the area as a high quality business park.

However, given that additional and revised information has only just been received, it is possible that the recommendation for refusal may change once the information is fully assessed by all the relevant parties. This will be covered in the necessary update report for Committee.

## **RECOMMENDATION**

***It is recommended that application No 08/2521/FUL be refused for the following reasons:***

- 1. The Local Planning Authority is of the opinion that insufficient information has been submitted with the application relating to access and highway safety in order to assess adequately the impact of the proposed development. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with development plan policies and/or other material considerations.***
- 2. The Local Planning Authority is of the opinion that insufficient information has been submitted to fully understand and demonstrate whether or not the development complies the approved design codes and landscaping for the Wynyard Business Park. As such the development is considered to be contrary to Policies GP1 and IN4 of the adopted Stockton on Tees Local Plan.***

## **BACKGROUND**

1. Outline planning permission (96/2069/P) for B1, B2 and B8 uses was granted in January 1997 for the Wynyard 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.

## **SITE AND SURROUNDINGS**

5. The application site extends to 1.3 hectares and is located in the south-eastern part of Wynyard Business Park immediately east of the existing roundabout junction and spine road. It is an undeveloped part of the estate and is open to view from the A689 directly to the south. At present the site has no direct vehicular access though the approved Master Plan for the estate does indicate an access road north of the application site from the spine road which is also in part the subject of separate planning application to be considered by this committee (application No 08/1410/FUL) for the dualling of spine road. Also to the north of the site running east/west is a high-pressure gas main which has a 50m easement line.

## **PROPOSAL**

6. The application seeks full planning permission for the erection of a 99 bed "Express by Holiday Inn" Hotel at the eastern end of the site together with a pub /restaurant in a separate building on the western side of the site. The buildings have been sited to avoid intruding into the gas main easement line. The application site boundary includes a non-development zone along its southern edge, which is indicated as being for low level planting. Beyond this area is a 30m strip of land between the site and the A689, outside of application area which is diagrammatically indicated for planting.
7. The proposed hotel will orientated primarily north south and is on four floors but with a feature tower housing plant equipment, stairwell and lift on the southern elevation. The entrance will be from the west off the car park will and will have a curved canopy feature. This curved motif is replicated on the eastern side of the building with the reception/lounge area having a curved feature wall.
8. The agent for the applicant states the materials to be used for the hotel will match the agreed material pallet for the Wynyard estate as whole.
9. The hotel will have its own car park though access to it is shared with the proposed public house/restaurant. Some 106 spaces will be provided which includes 6 disabled spaces.
10. The proposed public house follows a completely different design. Instead of a modern imposing building the design seeks to reproduce a more rural appearance of a two 2-storey houses with a cottage linking the two elements. Traditional finishing materials are to be used including a render and brick finish to the building's walls with tiled pitched roofs. The first floor will provide staff accommodation and public toilets.
11. It will have some 65 parking spaces including 3 disabled spaces.
12. Submitted with the application is a Planning Support statement, a Transport Statement, separate Design and Access Statements for each element of the proposal, Flood Risk Assessment, Ecological Assessment and a Ground Investigation report.
13. The Planning Support Statement also includes a 'Statement of Community Involvement' highlighting that the applicant carried out a public consultation exercise which included a letter drop to all business and residents in the vicinity of the development site advising them of the proposed development, the placing of site notices and a newspaper advert to advise of the a public exhibition of the development scheme, writing to the Parish Council and

holding a public exhibition of the scheme within the Wynyard Rooms on the Wynyard Business Park. Four persons attended the exhibition and all were in support of the proposal though issues of traffic generation and boundary treatment were raised.

## **CONSULTATIONS**

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

### Councillors

No response

### Parish Council

No response

### Environmental Health Unit

No comment

### Urban Design: Highways Comments

Given the cumulative effect of the hotel and pub / restaurant, and the traffic sensitive nature of the A689 near Wynyard the applicant should provide a full Transport Assessment (TA) rather than a Transport Statement. Generated traffic flows are not insignificant and 85th percentile trip attractions would be more appropriate. The TA would need to fully consider committed / future development proposals for this area. Specific concerns raised are.

*The TS provided is inadequate for the following reasons: -*

*\* the TS does not fully cover relevant committed developments in the area - e.g. the Seal Sands development which puts a lot of traffic through A19/A689 and A1185/A689 during the construction period;*

*\* the TS does not compare flows generated by this application with flows generated by the same area of office space (I assume that this application is approved by Hartlepool BC, this site lies within the application area);*

*\* again, assuming that the 275,000 square metres of office development at Wynyard Park has planning permission, the TS should refer to any highway infrastructure improvements conditioned to this and presumably offer some pro-rata contribution towards the same; and*

*\* the TS does not cover the potential for the pub/restaurant attracting pedestrian crossing movements across A689 from Wynyard village, or suggest any mitigation measures - we have significant road safety concerns with respect to this issue.*

### Urban Design: Landscape & Visual Comments

*Firstly I would like to draw attention to the overall landscaping infrastructure works of the approved masterplan for which this application forms part of. We commented upon the proposals contained within the following documents:*

- 1. Wynyard Business Park – Roadside Landscape Treatment Document (96/2068/P)*
- 2. Wynyard Business Park – Design Coding and Control (96/2069/P)*

*The above design guides have been approved and prescribe a standard of landscaping and external works design for the future development of individual plots and their surroundings.*

*This current application for the development of an individual plot adjacent to the entrance of the business park impacts upon both the entrance treatment and the landscaping buffer alongside the A689. In order that this application is assessed in context with its surroundings, I strongly suggest*

*that the original applicant (Wynyard LLP) is consulted to determine how and by whom the above infrastructure works are to be implemented namely the entrance and landscaping buffer. A mechanism needs to be put in place to implement these external landscaping areas as part of this application.*

*This information is required to ensure that piecemeal development of the site is prevented and that essential infrastructure planting proposed as part of the approved masterplan is undertaken and until this issue is resolved, we will have major concerns with other future applications within the business park.*

*This current application must therefore make reference to and acknowledge the entrance details and landscaping buffer before we can meaningfully comment on the proposals.*

*In the meantime and in order to provide some guidance and feedback to the applicant, I have referred to the approved design guide for the area called "Wynyard Business Park – Design Coding and Control" document and have assessed the proposals in accordance with the design requirements within this document and I have the following comments to make:*

- 1. Car park – the wholesale use of tarmac surfacing is not acceptable and brick or block paving is required. The surface should also be permeable to assist in reducing surface water run-off. Details of a sustainable urban drainage (SUDS) scheme including rainwater harvesting and how this relates to the landscape infrastructure works should be submitted for approval.*
- 2. Car park – the proposed planting areas within the car park are insufficient. The design guide requires the large areas of car park surfacing to be visually broken up with the use of soft landscaping. Areas of proposed grass within the car parking should be replaced with further tree and shrub planting to reinforce the limited planting strips between parking areas. Equally a form of protection should be incorporated to ensure these narrow planting strips do not suffer damage from parking.*
- 3. Details of any street furniture in accordance with the approved Design Code should be submitted for approval, including details of the lighting. Consideration should be given to create links to other plots within the park.*
- 4. Details of all boundary treatments should be submitted for approval illustrating elevations, materials and colour treatment and should be in accordance with the design guide.*
- 5. A 10m wide 'no development' strip between the development and the plot boundary is provided along with a 30m wide buffer strip which is indicated alongside the A689. This 30m wide buffer is to incorporate planting which will establish a strong landscape buffer between the highway and the business park. The note within the landscape proposals drawing states "Approaching view of building – no trees, shrub growth to be 'controlled' as necessary during development as part of routine maintenance". This seems to be contrary to the dense planting which is required to comply with the approved masterplan and I request that clarification is provided to clearly define the precise landscaping proposals within this buffer. In addition, an increase in planting should be incorporated within the 10m wide 'no development' strip.*
- 6. A 10m wide landscape buffer should be provided between the highway boundaries of estate roads and the development and should incorporate trees and shrubs as listed within the design guide. A further 5m wide limit of developable area back from the plot boundary is also required and this refers to car parking areas.*
- 7. Equally a 10m wide limit of developable area is also required to adjoining plots where no buildings or car parking shall overstep this boundary. This boundary should also be planted with woodland mix species.*
- 8. A maintenance and management plan should be submitted for all planting areas, for approval.*

*Until clarifications of the issues raised in this memorandum are received, we cannot support this application on landscape and visual grounds as outlined above. Additional information should be submitted for further consideration which reflects the above comments and which ensures that the site can be assessed in conjunction with the wider context to guarantee a seamless approach to the overall development of the business park.*

## Urban Design: Built Environment Comments

*With regards to applying general good practice urban design principles in relation to site organisation, the site would benefit from the buildings being located so that they front onto the entrance road to provide a strong attractive built form frontage that would enhance the corner as a gateway into the development. It is noted however that because of the gas easement this cannot be achieved and therefore it reinforces the requirement to provide a strong planting buffer between the A689 and the built form in accordance with the approved masterplan.*

### Highways Agency

Has requested the following additional information:

- *A Transport Assessment should be prepared as opposed to a Transport Statement and be in line with Chapter 4 of Guidance on Transport Assessments.*
- *The person trip generation should be distributed across modes, and trip assignment to the network must be carried out.*
- *Parking to be inline with current standards.*
- *Mitigation of the impact of the development must be considered, including the preparation of a comprehensive and robust Travel Plan and a commitment to funding transport improvements in the area.*

### NEDL

No objections and encloses mains records for the area.

### Northumbrian Water Limited

Requests the following planning condition be attached to any approval

*Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.*

*Reason*

*To ensure the discharge of SW from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 "Development and Flood Risk" and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.*

It further comments that:

*In discharging the condition the Developer should develop his Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000. Namely:-*

- *Soakaway*
- *Watercourse and finally*
- *Sewer.*

### Northern Gas Networks

No gas mains in the area but draws attention to the fact that there may be other gas pipes in the area.

### National Grid

Considers there is a moderate risk to its assets (gas main), however, considers that this risk should be successfully managed by following the plan and guidance provided.

### Health and Safety Executive

Does not advise against the application on Health and Safety grounds

### Natural England

*Based on the information provided, Natural England advises that the above proposal is unlikely to have an adverse effect in respect of species especially protected by law, subject to the following conditions (with reasons):*

*Any on site vegetation clearance should avoid the bird breeding season (March to end of August), unless the project ecologist undertakes a checking survey immediately prior to clearance and confirms that no breeding birds are present.*

*Reason: To conserve protected species and their habitat.*

### The Environment Agency

The Environment Agency has no objections, in principle, to the proposed development but recommend that if planning permission is granted the following planning conditions be imposed:

*No development approved by this permission shall be commenced until details of a surface water drainage scheme including explanatory statement have been approved by the Local Planning Authority. The scheme shall be implemented prior to the construction of impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.*

*No development approved by this permission shall be commenced until it has been confirmed that the site-wide surface water attenuation system has been constructed and is operation to its design standard.  
REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.*

*No development shall be occupied until details of the long term management and maintenance responsibilities for the site drainage scheme and site-wide surface water attenuation system have been agreed in writing with the LPA.  
REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.*

*Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.*

*Reason: To prevent pollution of the water environment.*

### Hartlepool Borough Council

Hartlepool Borough Council has been consulted as an Adjoining Authority and has commented as follows:

Having had the opportunity to consider the proposed development we (HBC) have **no objections** to the principle of the development.

We would ask that the LPA are satisfied that the proposed landscaping scheme and the design/materials of the proposed buildings are fitting for the high quality business park. Moreover, in relation to sustainable transport issues we would ask that you be satisfied that the travel plan will encourage other forms of transport to the site than the car.

## **PUBLICITY**

15. Neighbours were notified and a number of objections have been received from occupiers of residential properties with comments received are set out below:

Lesley Goodhall, 95 Wellington Drive Wynyard

*My main objection to the erection of this hotel bar and restaurant is that it is not suitable for the area, and its erection would set a precedent for future potential change of use and overdevelopment of the Business Park.*

*The proposed site is in close proximity to Wynyard Village which already has 2 restaurants and bars. In addition there is a further restaurant and bar less than one mile away at the Wynyard Services. As for hotels, Wynyard Hall is within one mile and there are 2 Travel Lodges on the A689 one of these is also within one mile of the proposed site and the other approximately 5 miles away.*

*A further concern is the increased traffic on the A689 which at peak times delays traffic accessing the A19 by 30 - 45 minutes*

J Atkinson, 30 The Wynd Wynyard

*The number of storeys is excessive this close to the A689 and site line from the residential area to the south of the A689. The nearby 4 storey office block is much further away from the road but still very imposing. We would also hope that high profile neon signage would be restricted by condition of any permission granted. As a local resident I feel that it would be out of character to allow anything but painted signs and set in a landscaped area. The increased traffic on the A689 is also of concern.*

Mr and Mrs Corkin, Whinney Moor Cottage Coal Lane

*We live at Whinney Moor Cottage, and are a few hundred yards from the proposed build. As we stated at the hurriedly arranged "preview" of this application held at Wynyard Rooms, our concerns are those of public safety and traffic problems already evident on A689 daily.*

*The proposed built will serve alcohol. People could drive or walk there. The Wynyard estate is situated across a dual carriage way from the proposed build. It already carried a 50 mph speed limit because it is so busy and dangerous. The speed reduction is due to the large volume of traffic and obvious dangers from the several roundabouts between the entrance to Wynyard estate and A19.*

*There have been several fatalities on this particular stretch of road in the years since the estate was built.*

*We fear that if built, the building would attract people to attend from the estate opposite crossing the A689 dual carriageway without any footpaths or over bridges being in place.*

*(When the open golf tournament was held at Wynyard some years ago, people parked in the car park at Wynyard Park and a temporary footbridge was put in place allowing them to cross the A689, because of the danger. Traffic volume has only increased since then)*



*Even without having consumed alcohol, crossing the road is dangerous, after alcohol consumption, judgement of speed us even more impaired. Add to that the difficulty with vision at night in the dark and the risks only rise.*

*The police already monitor speed on this stretch and are never on my drive for very long before they easily catch offenders exceeding the limits.*

*People from Billingham and Wolviston too could walk top the new building, again, no footpaths, across a roundabout which serves the A19 and along the A689 with no footpaths. These too face similar dangers. Travelling by car and taxi would increase congestion on an already very congested road system.*

*On a personal note, increased foot traffic would increase crime along the road and certainly leave us feeling more vulnerable in our house's situation. It would also lead us to being disturbed by drunks. I realise that at the initial plan display it was to be an expensive restaurant. However, once built it could be taken over by anyone.*

*As there is a large hotel complex and bar and restaurant complex approximately 0.5 miles way at Wynyard services, we do not see why this would be needed.*

*As there are plans to build a new hospital very near this building. We have already raised several points about transport and congestion. This build would immediately make the daily situation worse by 100+ vehicles daily. I have enclosed a copy of the congestion worries and other points we have raised with "Momentum" purely for your information momentum@nth.nhs.uk. These have been put in writing and we are informed that they would be considered at any planning stage. We feel these points are especially valid concerning the proposed location for this build also. I have also attached a copy of the original masterplan in existence when we bought our property. This does not show any intention for this build, only offices and factory units. Does this constitute a change in use of land as people will be resident albeit for a short time i.e. not domiciled there? Or will the landlord actually be living ... resident on the premises. If so would there then be a precedent for houses to be built on the site.*

*For information only, I could not get the website showing this build to work, only able to see one view of the sketch which was shaded boxes. I was unable to visit the offices in Stockton either to get a better look. What if any security measures would be in place to ensure people using the build did not walk across the fields and into our woodland (or anyone else's) at Whinney Moor Plantation.*

Mr Stephen Mulpetre, 18 Fulthorpe Grove Wynyard

*I feel that this area does not need another hotel and public house when there is one not 1/2 mile away.*

Mrs Susan Saunders

*Dear Sirs,*

*I strongly object to the above planning application for a hotel and pub/restaurant to be built.*

*Why is another one needed when there already is a 'Holiday Inn Express' just across the other side of the A19 from here? Wynyard is well served by a local pub/restaurant and so these are not being built for our benefit.*

*The only access and egress for the Wynyard Estate is off the A689. This road is the main link road for the already busy A19 and A1. It is a well known trouble spot for accidents and horrendous tailbacks of traffic at peak times.*

*Why are we always the last people to hear about these things when we are the only people it concerns?*

Philip Hall, 9 Davison Close Wynyard

*I am not aware of any additional transportation plans or infrastructure in place to accommodate this development and as such it will bring more traffic to an already congested route. It will have a detrimental impact on the residential development opposite specifically noise, environmental pollution, visual impact, litter and anti-social behaviour.*

Mr I Bullock, 6 Davison Close Wynyard

*Dear Sirs, I am writing to voice my objection to the proposed hotel, pub & restaurant at Wynyard. This development will further impact the road system which during peak times cannot cope both during its construction & once open for business. The development sets a precedent for further encroachment in open undeveloped areas when there are hundreds of acres of business park better suited to this type of build. The noise & light pollution from increased traffic late at night will directly impact my family & others. There is a large hotel several hundred meters away offering the same services & this venue is currently under occupied & the bar / restaurant is not operating to anything like capacity (having visited the venue on many occasions for meetings). The pub industry is in decline with hundreds of bars closing each month (I work in this sector & have detailed knowledge of this), there is currently over capacity in the industry, the region & Wynyard / Sedgfield. This development will negatively impact local business which has worked hard to stay afloat i.e. - The Stables - Wynyard, The Wellington, Wolviston, The Ship - Wolviston, The Swan - Billingham, The Golf Club - Wynyard, not to mention the 8 bars in Sedgfield. All these public houses are within 6 - 8 minutes drive of the proposed site.*

Frances Smith, 12 Vane Close Wynyard

*Dear Sir*

*With reference to the planning application for a possible hotel and pub near wynyard I would like to raise an objection due to the extra traffic it would cause wynyard is already gridlocked during rush hours, it is almost impossible to get our children to schools and local colleges on time. Due to the lack of public transport we have to use cars to introduce more cars in this area would be devastating to our normal way of life.*

*I would also wish to raise the pollution issue and the preservation of our local countryside.*

Robert Evans, 3 Park Avenue Wynyard Village

*There is a public house & a Holiday Inn Express (Hotel) situated at Wolviston services less than a mile away, also a travel lodge situated at Sedgfield..!! so why another so close...???*

Mr G A Maxwell, 12 Tempest Court Wynyard

*I believe that this development will have a detrimental effect on this locality. It appears to be part of a speculative hope that a proposed hospital will be built in close proximity to this site. The impact on road communications will be highly detrimental to existing road users and inhabitants of Wynyard.*

Russell Grief, 5 Sheepdene Wynyard Woods

*An adequate hotel exists on the east side of the A19 roundabout. Traffic on the A19/A689 junction is already greatly congested at peak times and beyond. The area does not need nor can the roads sustain this development.*

Miss A Gill, 16 Black Wood Wynyard

*In this particular area we have three developers trying to out-do one another with little or no care for the community surrounding them as they live in there "glass" houses. Up until ten years ago Wynyard was a small hamlet, the estate supplying jobs and farm land for the area. And was indeed providing a central role in the parish. It is now on its way to becoming a small town bordering*

*Billingham. Everywhere in the world development is taking place but only here is it to the detriment of our green belts and historic way of life. We run the risk here of throwing the baby out with the bath water and developing for the sake of development without fully understanding the impact these developments have on local life. Why would people stay in this hotel????? The business park does not require this addition, the golf club will build a hotel, which I think makes more sense as it has the added attraction of golf course etc but where is the long term strategy to this area, in truth there is not any and the first developer to get planning for his hotel will get one over on the other, be it Sir John, Chris Musgrave of Jomast. This is total madness, as councillors you have the right and obligation to create the blue print best suited for everyone. In truth Stockton needs regeneration, why not a modern hotel there which can facilitate other local businesses, here at Wynyard by its country location there are no other add ons apart from increased traffic, noise, security. Please act on everyone's best interest and relocate this hotel closer to a population and infrastructure mass in Stockton and leave the country side for the people in the country!*

## **PLANNING POLICY**

### **National Planning Policy**

16. National Planning policies are set out in Planning Policy Guidance Notes (PPG) and the newer Planning Policy Statements (PPS).
17. Relevant to this application are:
  - PPS 1 "Delivering Sustainable Development"
  - PPS 6 "Planning for Town Centres"
  - PPG 13 "Transport"

### **PPS1 – Delivering Sustainable Development (February 2005)**

18. PPS1 builds on the principles set down in PPG1 and emphasises the contribution the planning system can make to achieving sustainable development and a high standard of design.

### **PPS 6 – Planning For Town Centres (March 2005)**

19. Planning Policy Statement 6 (PPS6) sets out the Government's approach to the provision of town centre uses.
20. The key objective of PPS6 is to promote the vitality and viability of town centres, both by planning for the growth of existing centres and by promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good quality environment, which are accessible to all. The Statement sets out further objectives which should be addressed as a means by which to achieve the overall key objective:
  - "Enhancing consumer choice by making provision for a range of shopping, leisure and local services, which allow genuine choice to meet the needs of the entire community, and particularly socially excluded groups;
  - Supporting efficient, competitive and innovative retail, leisure, tourism and other sectors, with improving productivity; and
  - Improving accessibility, ensuring that existing or new development is, or will be, accessible and well served by a choice of means of transport."

21. Section 3 of PPS6 sets out the considerations which should be taken into account by Local Planning Authorities in determining planning applications for all proposals relating to main town centre uses, with paragraph 3.1 of PPS6 confirming that the considerations apply to the redevelopment of existing facilities as well as to the development of new facilities and at 3.4 that applicants should be required to demonstrate the following:

- (a) The need for the development;
- (b) That the development is of an appropriate scale;
- (c) That there are no more central sites for the development;
- (d) That there are no unacceptable impacts on existing centres; and
- (e) That locations are accessible.

22. In addition to the considerations discussed above, PPS6 states that the following material considerations may also be taken into account in assessing planning applications for a main town centre use:

- Physical regeneration;
- Employment creation;
- Economic growth; and
- Social inclusion.

#### Planning Policy Guidance Note 13 - Transport (March 2001)

23. The advice on locating new retail development is reinforced by Planning Policy Guidance Note on Transport (PPG13), which was published in March 2001. The key aims of the Guidance are set out in the introductory text, namely to integrate planning and transport at the national, regional, strategic and local level to:

- Promote more sustainable transport choices for both people and for moving freight;
- Promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
- Reduce the need to travel, especially by car.

24. Paragraph 35 sets out the guidance relating to shopping development and is consistent with PPS6 in that it also emphasises that new retail development should be focused in existing shopping centres where it is likely to be most accessible to the population by a variety of means of transport.

25. 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 the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).

#### Regional Planning Policy

## Regional Spatial Strategy (2008)

26. Policy 20: Locations identifies Wynyard as a Key Employment location to provide a limited number of large scale development opportunities for high quality modern industry, minimising B1 (a) potential. The policy states:

“In planning for Key Employment Locations, Local Development Frameworks and planning proposals should ensure a high level of sustainability. They should:

- a. Prepare a detailed masterplan prior to the commencement of development setting out such considerations and meeting the requirements of clauses b-e;
- b. Seek to achieve zero or low carbon emissions, including energy conservation measures and secure energy supply from decentralised and renewable or low-carbon services in accordance with the approach set out in Policy 38;
- c. Encourage high levels of public transport, walking and cycling accessibility and use;
- d. Discouragement of the need to travel by car through limited parking, the use of other demand management measures, and requiring a Travel Plan for each future occupier;
- e. Include a waste audit in view of Policy 46;
- f. Secure any necessary improvements to the strategic and local road and rail networks required to accommodate traffic generated by the development, taking account of the likely use of public transport to the site;
- g. Maximise the employment opportunities for residents of surrounding areas, particularly those in deprived communities;
- h. Ensure that the necessary infrastructure is coordinated with new development;
- i. Employ sustainable construction and design methods, which deliver biodiversity benefits and foster local distinctiveness;
- j. Protect and enhance major environmental, historic assets; and
- k. Ensure that the integration of the development with the landscape meets high environmental standards;
- l. Give priority to accommodating major investors and prestige business development of national or regional significance”.

## Tees Valley Structure Plan

27. The saved Tees Valley Structure Plan policies that particularly need to be considered include:

EMP6 (Business Parks and Prestige Employment Development) lists 540 ha of land available for business parks or other prestige employment development.

## Stockton on Tees Local Plan 1997 (STLP)

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

STLP Policy GP1 general principles

STLP Policy S2 refers to major retail development and proposals for key town centre uses in locations, which lie beyond defined centres. All proposals must satisfy the criteria outlined in this policy

STLP Policy IN4 states that business uses will be permitted on the Wynyard estate where the development incorporates a high standard of design and includes substantial landscaping

STLP Policy TR15 states that the design of highways required in connection with new development will provide for all the traffic generated by the development and parking provided to the Council's standards.

29. Adopted Stockton on Tees Local Plan Alteration No 1 Policy EN32c states that where the proposal may lead to an increase in surface water drainage, developers will be required to implement sustainable urban drainage systems. Where this is not practical, developers will be required to demonstrate, to the satisfaction of the Council, that an alternative method of surface water disposal incorporating the necessary flow limitation is included. In all other instances, wherever it is easily practicable and appropriate, new developments should be drained.

### **MATERIAL PLANNING CONSIDERATIONS**

30. In light of the consultation responses, concerns raised by residents, planning policy and the planning history of the site, a number of planning issues are considered material to the consideration of this application.

#### Planning Policy and the principle of development

31. In determining whether permission should be granted, the Council, as the Local Planning authority, needs to have regard to the relevant planning policies and make a decision consistent with those policies unless other material considerations indicate otherwise.
32. The primary issue in relation to planning policy is whether the development is in a sustainable location and whether the relevant tests as set out in the various planning policies (i.e. PPS6, RSS policy 20 and STLP policy S2) have been met. One of the key tests is whether having established a need for the development; the chosen site is sequentially the best location for such a development. Planning policy in respect of hotels would normally seek in the first instance for them to be located within Town Centres. The need for the development is discussed further below.
33. As part of the planning submission the applicant has carried a limited sequential test. It concentrates on sites and premises that are conveniently accessible from the Business Park, having regard to the fact that the specific need is to support and service the occupants of the Park. The search has focussed on:
- (i) local plan allocations;
  - (ii) the local area; and
  - (iii) along the main 'A' road which links the Park with Billingham Town Centre and which is served by public transport.
34. The study concluded that there were no sequentially preferable sites available for development in reasonable proximity to Wynyard Park. Therefore, given the lack of alternative sites that are available, suitable and viable in sequentially preferable locations, and the support of this type of development in order to maintain the viability of Wynyard Park, it is considered that the application site represents the best option to accommodate a new hotel and pub/restaurant development to serve the Business Park

35. The evidence produced makes it clear that the proposal would be a very different operation from that normally expected to be provided in a town centre location. Given that it is inherently different and is serving the Business park, it is accepted that in planning terms the site is sequentially the best location and does not prejudice planning policy by being located within the Wynyard estate.

#### Compliance with the Master Plan and Design Guide

36. The 2004 master plan (approved as a condition of the 1996 outline approval) has always indicated the area for development but for B1 (offices) B2 (industry) and B8 (storage and distribution). The revised master plan of 2007 further refined the layout for this area and shows a similar building arrangement to that that now proposed. However, in agreeing the master plan revision no approval was given to the principle that the site could be developed for a pub and hotel, though it is recognised that the original overarching master plan produced by Cameron Hall estate (the previous owners of the business park) for the whole of the Wynyard Park did indicate the provision of a hotel north of the A689.

37. The “Wynyard Business Park – Design Coding and Control” produced for this estate as part of the requirement of the outline approval, establishes the design philosophy and prescribes a standard of landscaping and external works design for the future development of individual plots and their surroundings. As the Council’s landscape architects states the “current application for the development of an individual plot adjacent to the entrance of the business park impacts upon both the entrance treatment and the landscaping buffer alongside the A689.”

38. The development needs to comply with that guide in terms of the details of the car parking areas, materials, colour treatment, street furniture etc. Of particular importance is the requirement for a 10m wide ‘no development strip’ between the development and the plot boundary along with a 30m wide buffer strip alongside the A689. This 30m wide buffer is to incorporate planting which will establish a strong landscape buffer between the highway and the business park. Much of this information is missing though it is accepted the development does allow for the 30m buffer strip to the A689 (outside of the application site boundary) and diagrammatically indicates this is to be planted. A particular concern is that in places the development does not allow for the 10m ‘no development strip. These concerns have been raised with the applicant who has asked that these matters be reserved for future approval as a condition of planning approval.

39. However, it is considered that whilst some of these details – materials, planting details etc can be a condition of approval, other issues are more fundamental and require a redesign of the layout to comply with the approved design guide. It should be noted that policy IN4 of the local plan requires a high standard of design and landscaping. As submitted the scheme is contrary to that policy. In the light of these concerns a revised scheme amending the siting of the proposed has recently been received and this plan is now being assessed. Preliminary thoughts are that, at least in part, it better accords with the design guide. An update report will examine this matter in more detail and confirm whether or not the development fully accords with the approved Design Guide and meets planning policy.

#### Need for the development

40. It is a requirement of PPS 6 that the need for the development should be demonstrated and it is one of the issues raised by local residents. They claim that there is no need for the development citing the existing bars and hotels in the area including hotels at Wynyard Golf club and Wynyard hall (both recently approved) and existing hotel at Wolviston and in Sedgfield all within a short car journey from the site as well as existing public houses in Wolviston and Billingham.

41. In support of the need argument the applicant has put forward the case that the hotel and pub/restaurant will primarily be targeted at business travellers and given the scale of the ultimate Wynyard park development – employing up to 18,000 people when complete – states that there is a strong justification to improve facilities which service the park. It is further stated that service facilities such as a hotel/pub ancillary to a business park are recognised as an important factor in both retaining and attracting companies to a particular business park location. Examples elsewhere in the country (18) are quoted.
42. It is also stated that it will increase the range of serviced accommodation available to visitors to the Tees Valley therefore satisfying the needs tourism. Details of the importance of business tourism as set out and how important it is to the economy of the region. An assessment is made of the range and quality of existing hotels in the area.
43. It is accepted that there is in principle a need for a hotel in the area, particularly one that will service the Business Park when it develops to its full potential in accordance with the existing planning approvals.

#### Traffic, access and highway safety

44. This is a key issue with the application and one that is at present unresolved. Both the Head of Technical Services and the Highways Agency have highlighted that the submitted Transport Statement is insufficient and that additional work and information is required. This includes more technical information on trip generation, a robust travel plan etc. This information has just been received and has been forwarded to your Engineers as well as the Highways Agency.
45. Local residents have also expressed concern about the increase in traffic generated by the development highlighting particular problems of congestion at peak times. Local residents are also concerned about the road safety implications given the proposal pub/hotel use could attract significant extras numbers including the possibility of people accessing the use by foot from the Wynyard residential area and trying to cross a busy dual carriageway. This is a significant issue for the Head of Technical Services. Without a safe means of crossing the development may present a serious highway safety risk.
46. Matters of traffic and highway safety will be considered in some detail in an update report when the additional information now received has been fully assessed by officers.

#### Residual matters

47. There are a number of residual matters raised in particular by residents that need to be addressed.

##### Precedent

48. Residents are concerned that the development if allowed may set a precedent for other development encroaching into the countryside. The site has an extant permission for B1, B2 and B8 uses and the argument put forward by the applicant is that it is to service the Business Park. Approval for any further development outside of the approved uses would be judged on its merits and approval of this proposal would in no way set a precedent that would fetter the Council in its decision of any subsequent non industrial/office uses.

##### Visual Impact



49. Concerns have been expressed, particularly in regard to the design of the Hotel that its height at four storeys is excessive and will be imposing and visible from residential areas to the south. Potential signage could exacerbate the visual obtrusive nature of the development. The development will be set a minimum of 40 metres back from the road side with trees in between screen planted. Whilst this will not hide the building it has to be recognised that the nearest housing is over 200m away on the other side of the A689.

#### Ecology

50. The application is supported by an ecological appraisal which concludes that the site only supports a small number of habitats and is of limited value to wildlife. The only issue is vegetation clearance needs to be carefully timed which ties in with comments of Natural England. This can be secured by planning condition.

51. Other matters raised by residents such as, noise, litter, anti social behaviour are noted but are not considered to be sufficient to warrant a refusal of planning permission given the location of the development away from sensitive residential areas.

### **CONCLUSION**

52. Whilst in principle the provision of a hotel and pub/restaurant may be acceptable, the information submitted with the application is at present insufficient to justify a recommendation of approval. The scheme does not fully comply with the Business Park Design guide and may require significant changes to ensure that it does. More importantly, concerns over the traffic and road safety impact have not been resolved.

53. In the circumstance it is recommendation at present must to refuse on the basis that insufficient information has been provided to demonstrate that the development will not have an adverse impact on traffic and road safety. Also that is not fully compliant with the established design guide and may be undermine the need to establish the area as a high quality business park.

54. However, given that additional and revised information has only just been received, it is possible that the recommendation for refusal may change once the information is fully assessed by all the relevant parties. The necessary update report for Committee will fully set out your offices view taking account of the revised information.

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

**Contact Officer Mr Peter Whaley Telephone No 01642 526061**

#### **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

**WARD AND WARD COUNCILLORS**

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