

DELEGATED

AGENDA NO
PLANNING COMMITTEE

DATE 26th NOVEMBER 2008

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

08/1184/OUT

Former Supreme Knitwear, Middleway, Thornaby

Outline application for mixed use development of student accommodation and commercial floorspace.

Expiry Date 5 December 2008

SUMMARY

The application site is a large industrial style building with associated car parking which is set slightly below the existing road level by approximately 0.5 metres. The site is triangular in its nature and is bounded by three main highways, Mandale Road, Middleway and New Street.

The application seeks outline planning consent for the erection of a student accommodation building with only the principle of development and the access into the site to be considered, all other matters are reserved for future consideration. The development would reach a maximum height of 5 Storey's opposite the Town Hall, and an overall maximum height of 6 storeys. The proposal aims to secure provision for approximately 260 student beds and the provision of A1, A3, D2 and B1 uses on the ground floor (totalling 950m²), which would be mainly ancillary to the main use of student accommodation. It is suggested that the A1 and A3 uses would be restricted to 150m² (net).

The scale and massing of the proposed development is considered to be inappropriate in the context of the street scene and would have a detrimental impact on the setting of the grade II listed Thornaby Town Hall. It is also considered that the applicant has failed to satisfactorily demonstrate the required need for further student accommodation and consequently the proposed development is recommended for refusal.

RECOMMENDATION

Planning application 08/1184/OUT be refused for the following reason(s);

01. In the opinion of the local planning authority the layout, scale and massing of the proposed development would be incongruous within the street scene, produce a cramped form of development and would not provide a high quality of built environment and is thereby contrary to saved policies GP1 (i) and (viii), HO3(iv and)(HO11(i), of the Adopted Stockton on Tees Local Plan and Planning Policy Statement 1.

02. In the opinion of the local planning authority the development would detract from the setting of a listed building by virtue of the unsympathetic design, scale and massing and is thereby contrary to saved policy EN 28 of the Adopted Stockton on Tees Local Plan

03. In the opinion of the Local Planning Authority the applicant has failed to satisfactorily demonstrate there is a proven need for the development; contrary to the Council's adopted interim student accommodation policy guidance document.

04. In the opinion of the Local Planning Authority the applicant has failed to satisfactorily demonstrate that the proposed development will not have a detrimental impact on the highway network through a submitted Transport Statement, contrary to saved policy GP1 of the adopted Stockton on Tees Local Plan.

BACKGROUND

1. The application site is that of the former Supreme Knitwear building for which there have been several different applications in the past relating to the past operations of business.
2. More recently there was an application for a Certificate of Lawfulness for use as A1 retail unit. (07/1912/CPE), which was refused due to there being insufficient information to satisfactorily demonstrate a continuous primary retail use for a period of more than 10 years.

PROPOSAL

3. The application seeks outline planning consent for the erection of a student accommodation building with only the principle of development and the access into the site to be considered, all other matters are reserved for future consideration.
4. The supporting design and access statement sets out justification for the building. The indicative drawings indicates a building which would fully utilise the triangular nature of the site with two main frontages onto Mandale Road and Middleway, The New Street frontage would be broken in order to provide vehicular access to the site.
5. The design and access statement also includes a scale and massing study to demonstrate how the indicative layout would impact on the overall street scene and Grade II listed Thornaby Town Hall, this has recently been revised in order to try and overcome the concerns of the urban design unit.
6. The revised study shows that the development would reach a maximum height of 5 Storey's opposite the Town Hall, and an overall maximum height of 6 storeys. The proposal aims to secure provision for approximately 260 student beds and the provision of A1, A3, D2 and B1 uses on the ground floor (totalling 950m²), which would be mainly ancillary to the main purpose of student accommodation. It is suggested that the A1 and A3 uses would be restricted to 150m² (net).

CONSULTATIONS

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

The Environment Agency

Thank you for referring the above application which was received on 23 September 2008. We have no objection to the development as proposed; subject to the inclusion of the following CONDITION should planning permission be granted:

CONDITION: No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works including any necessary attenuation has been approved by the Local Planning Authority. The scheme shall be implemented before the construction of impermeable surfaces draining to this 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.

INFORMATIVE: Surface water run off should be attenuated to no more than existing rates so as to avoid increasing flood risk elsewhere.

We would also like to provide the following comments:

Foul Drainage:

The Sewerage Undertaker should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

Land Contamination:

The Environment Agency considers that the controlled waters at this site are of low environmental sensitivity; therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of PPS23 and the Environment Agency guidance on requirements for land contamination reports should be followed.

Please note that in relation to the proposed development, in so far as it relates to land contamination, the Environment Agency only considered issues relating to controlled waters.

Sustainable Energy Use / Renewable Energy Generation:

We consider that a planning application of this scale should incorporate Sustainable Construction and Renewable Energy Generation principles. Nationally, the Government seeks to minimise energy use and pollution, and move towards a higher proportion of energy generated from renewable resources. In line with the adopted Regional Spatial Strategy for the North East, we consider the proposed development should incorporate Policies 38 (Sustainable Construction) and 39 (Renewable Energy Generation).

In conforming to these policies the proposed development should be designed to ensure energy consumption is minimised to achieve energy efficiency best practice to meet the Building Research Establishment's Environmental Assessment Method (BREEAM). In addition, we consider the proposed development should have embedded within it a minimum of 10% energy supply from renewable resources.

If you have any further queries, please don't hesitate to contact me.

English Heritage

We do not consider that it is necessary for this application to be notified to English Heritage.

Historic Buildings Officer

The existing Supreme warehouse building has little architectural interest and is a block warehouse construction therefore it does little to enhance the setting of the town hall which is a grade II listed building.

I note that the application is for outline planning consent and the issue of design is reserved for a latter submission. Nevertheless it should be noted that there is a need for a high architectural quality due to the presence of the Town Hall. A taller building needs to possess a critical level of architectural distinction in order to ensure it will not harm the immediate and wider context, but rather enhance.

Whilst the original scale and massing study has been amended recently the Town Hall is no more than 3 stories in height. I consider that the proposed height of five storeys adjacent to the listed Town hall is unacceptable and that the overall bulk and massing of the building is unacceptable.

The development would create a large 'blocky' mass adjacent to both Mandale Road and the listed Town Hall and would be out of context with the area as a whole, having an over dominant impact of the setting and prominence of Thornaby Town Hall. Approval of such a dominant building at this stage of the planning process, although in outline, may set an undesirable benchmark for the design of the end building. Any new building on the site should reflect the context of the Town hall and help to restore the gateway setting into Thornaby.

The dome of the Clock Tower is visible from many vantage points and is a landmark building in the townscape. The proposed development would undoubtedly detract from the setting of the Town Hall and appear over dominating it in terms of bulk and massing.

Conclusion

This will be a prominent site from many vantage points and I remain to be convinced that the proposal will not dominate the surrounding area, and I have concerns over the scale and massing of the development and the resulting impact on the setting of the Town Hall.

Councillors

No comments received

Urban Design

I refer to your memo dated: 8 September 2008

Reference drawing no: Proposed Site Plan 0620/L100

General Summary

Urban Design cannot support this application in accordance with the follow comments:

Highways Comments

Previously I have requested a Transport statement in order to demonstrate traffic movements associated with this development.

I feel that inadequate information has been supplied with this application as no TS has been provided. It is therefore recommended that information be submitted so that it can be demonstrated that this development will not have an adverse impact on the surrounding highway network.

It is assumed from the development, despite no supporting information being supplied that there is a potential increase for pedestrian movements towards Stockton town centre and University campus. No improvements are suggested in the information provided. A S106 contribution of £4000 is requested in order to improve pedestrian facilities from the proposed site to the traffic signalised junction at Bridge Road/Yale Crescent, this will introduce the requisite dropped kerbs and tactile paving.

A contribution towards the Major Bus Scheme that is proposed adjacent to the site will also be required. Previous requests have been made on the number of bedrooms being introduced. In this case a contribution of £70 per bedroom is required, a total of £18 200, based on 260 bedrooms.

It is noted in the design and Access statement that access is to be via New Street and Middleway. However, access should not be from Middleway and it must operate as it does now in terms of an out only onto Mandale Road.

The development indicates a total of 16 car parking spaces. It is accepted that this level of car parking for student accommodation is acceptable due to the sustainability of the site and close proximity of bus facilities, railway station and the university. It should be noted that retail uses associated with this development should be ancillary to the student accommodation due to the reduction in car parking accepted for student accommodation. If retail use is not ancillary, there could be a requirement for a 32 car parking spaces for the retail use.

There are no details regarding cycle parking and refuse storage and collection which I am assuming will be considered as part of a reserved matters application, should the development get outline planning approval.

The Travel Plan Framework document submitted outlines the basis only for the development of a detailed travel plan. A detailed travel plan is required and should be submitted to Stockton Council within 6 months of occupation of the development. The document details public transport services that are in operation at the moment, it is recommended that timetables of services need to be checked and amendments made accordingly to the framework document.

It is recommended that the detailed travel plan to be developed using Stockton's Travel Plan Builder <http://www.stocktontravelplans.co.uk/>

I therefore have no objection to this application, subject to it being demonstrated that the highway network will not be adversely affected.

Built Environment Comments

Although there is a chance to provide a signature building on this gateway site and that the proposed development will bring valuable physical improvement to the area I cannot support the application in relation to scale and massing and make the following comments.

Whilst the proposed development demonstrates an appropriate response to the site in relation to the urban grain, the overall scale of the building is unacceptable based on the indicated building height, giving an impression of over development.

It is therefore recommended that the whole development is reduced in height by 1 storey building up to maximum height of 4 storeys at the northern corner of the site to respond to its contextual relationship with the listed town hall which is 3 storeys minus the clock tower.

Although the development introduces active frontages along Mandale Road which is encouraged, it is recommended that the applicant explores breaking up the elevation by introducing significant physical connections from Mandale Road into the centre of the development.

This design amendment should demonstrate an opportunity to provide more amenity space/public realm in and around the blocks and reduce the overall impression of overdevelopment.

Should outline consent be given further information in relation to the buildings elevations will also be required to better understand the proposed architecture and façade treatments.

Landscape & Visual Comments

Whilst I have no objection to the principle of the development within this site, I cannot support the scheme in its current form for the following reasons:

Overall there is insufficient amenity space or public realm on site for the end users of the building demonstrating overdevelopment of the site. I recommend that the development be reduce in size to accommodate sufficient and appropriate areas of amenity or public realm.

This includes the provision of public realm improvements along the Mandale Road where the development should seek to introduce boulevard tree planting to enhance the existing streetscape.

Should the application be approved however the following conditions should be applied:

- Landscaping Softworks: plans and specifications to be submitted to and approved in writing by the LPA;
- Landscaping Hardworks: plans and specifications to be submitted to and approved in writing by the LPA;
- Enclosure & street furniture and specifications to be submitted to and approved in writing by the LPA;
- Scheme for illumination and specifications to be submitted to and approved in writing by the LPA;

Durham University

No comments received

Environmental Health Unit

I have no objection in principle to the development, however, I do have concerns regarding the following environmental issues and would recommend the conditions as detailed be imposed on the development should it be approved.

- Noise disturbance from access and egress to the premises

The opening hours should be limited to ensure that adjacent residential premises are not adversely affected by either customers using the premises or from vehicles servicing the premises at unsocial hours.

- Noise disturbance between living accommodation

Due to the probability of noise complaints resulting from the intensified use of these residential premises, the building shall be provided with sound insulation, prior to being used, to ensure that adequate protection is afforded against the transmission of noise between living accommodation and bedroom in adjacent flats in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

- Noise disturbance from adjacent road traffic

Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

CE Electric

No objections but refer the developer to the Health and Safety Executives Publications on working with and in and around electricity.

Northumbrian Water Limited

Development shall not commence until a detailed scheme for the redesign of the proposal to avoid building over by 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;

A 30" strategic water main passes through the site. Northumbrian Water does not permit water mains to remain in close proximity to buildings primarily because this presents a health and safety risk. Water mains operate under pressure and can cause significant damage in the event of a burst. It is therefore imperative that the pipes are kept in land away from buildings and where homeowners are likely to place structures such as gardens.

In addition to the above NWL requires unrestricted access to its apparatus in order to exercise its powers to "inspect, maintain, adjust, repair...." the water main as provided by the statutory easement under Section 159 (1(b) of the Water Industry Act 1991.

A plan showing the location of the water main is enclosed. The developer should contact Peter Heppell (tel: 0191 4196616) to discuss a possible diversion, please find enclosed a guidance document.

Northern Gas Networks

No objections

Thornaby Town Council

Thornaby Town Council objects to this application on the grounds that the schematic plane form diagrams and plans are insufficiently representational as to allow the full consultation required.

The Council therefore has reservations and concerns as to site use and design that the development proposed may be contrary to policy GP1 of the Local Plan.

Please inform the Council of the Planning Committee's decision.

Development and Regeneration

The proposal, in principal, is in line with what we would be looking to see within the Mandale Triangle as part of the regeneration of the area. However, we would comment as below:

- We have concerns that the mass of the building may detract from the listed Town Hall building.
- The indicative elevations suggest a dated 60's design, something that would fall short of modern design aspirations.
- There is minimal car parking provision. Where would the occupiers and clientele of the business units' park plus those students that elect to have a vehicle.

Head of Housing

Outline application for mixed use development of student accommodation and commercial floorspace.

The Private Sector Housing Division would like to take the opportunity to advise of our concerns regarding the number of bed spaces already provided by this particular type of student accommodation and the impact it is having on the 'traditional' student accommodation i.e. shared house accommodation we are already seeing a number of these types of property being unable to be let and remaining empty. Furthermore the Division have previously forwarded concerns to Laura Edwards and regarding the number of students actually seeking accommodation, our concern is that we could end up with an oversupply of accommodation and again an increase in the number of empty properties and bed spaces.

Any proposed development should have regard to the guidance and information given in the Private Sector Housing Division's Amenity Standard Guide and meet the minimum requirements therein.

PUBLICITY

8. Neighbours were notified and the comments received are summarised below :-

K D Flavell & Sons Welding Specialists Co Ltd' Robert St

I am one of the directors of an engineering company close by but not immediately adjacent to the proposed development. I think that it needs to be established if this is going to be a residential area in the future as at the moment it is almost all industry and comprises industrial units of varying sizes. We have been established since 1958 and moved here in 1970 from Stockton we employ approximately 25 local people.

Our concerns include:-

We generate noise associated with an engineering environment often at night and at weekends as well as throughout the day. We generate dust and fumes not suitable for a residential area. We store a large quantity of high pressure flammable and inert gas cylinders too close to the proposed development. Our welding equipment interferes with both TV and Radio signals. The development is very large and is definitely not suitable to be situated anywhere near our long established business. The decision is Residential Area or Industrial Area - I feel it can't be both.

Gordon Howes - 97 Mansfield Avenue Thornaby

There is no justification at all for further student accommodation in the Stockton and Thornaby areas. The University, to my knowledge have not stated that there is a massive need for further large scale accommodation. There is enough good quality private affordable student accommodation in the local area without these purpose built buildings.

There is an issue with parking for student cars in the locality, traffic congestion and too much a concentration of students in one locality.

I most strongly object to this planning application

Direct Car Sales & Finance Ltd – Mandale Triangle

I would like to give my support for this application as it will improve the area and help to regenerate the Mandale Triangle. Direct Car Sales and Finance have been trading on this site for 7 years and over this period we have seen a decline of business in the area and this new development will give hope and prosperity to us and other businesses.

Market Tavern – Mandale Triangle

I would like to give my support to the planning application by Supreme Property Developments. This area of Thornaby is very much run down and needs new business to encourage a better environment for all concerned.

R Cowman – 27 Derby Terrace, Thornaby

As a resident living close to Mandale Triangle I support the planning application to build student accommodation, as I am sure it will enhance the area and make it a more pleasant area in which to live.

A petition from local businesses has also recently been received. The petition supports the application due to steady decline of the estate in recent years and is in need of investment. A total of 11 businesses have supported the application.

PLANNING POLICY

The relevant development plan in this case is the adopted Stockton on Tees Local Plan. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning

and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are *the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP)*.

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

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy HO3

Within the limits of development, residential development may be permitted provided that:

- (i) The land is not specifically allocated for another use; and
- (ii) The land is not underneath electricity lines; and
- (iii) It does not result in the loss of a site which is used for recreational purposes; and
- (iv) It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- (v) It does not result in an unacceptable loss of amenity to adjacent land users; and
- (vi) Satisfactory arrangements can be made for access and parking.

Policy HO11

New residential development should be designed and laid out to:

- (i) Provide a high quality of built environment which is in keeping with its surroundings;
- (ii) Incorporate open space for both formal and informal use;
- (iii) Ensure that residents of the new dwellings would have a satisfactory degree of privacy and amenity;
- (iv) Avoid any unacceptable effect on the privacy and amenity of the occupiers of nearby properties;
- (v) Pay due regard to existing features and ground levels on the site;
- (vi) Provide adequate access, parking and servicing;
- (vii) Subject to the above factors, to incorporate features to assist in crime prevention.

Policy EN28

Development which is likely to detract from the setting of a listed building will not be permitted.

Policy EN32a

Proposals for new development will not be permitted within Flood Zones 2 or 3 as shown on the Proposals Map, or other areas identified as at risk of flooding, unless the applicant can demonstrate by means of a Flood Risk Assessment and sequential tests that:-

- i) there is no alternative site at no risk or at lower risk of flooding; and
- ii) there will be no increased risk of flooding to the development; and
- iii) there will be no increase in risk of flooding elsewhere as a result of the development.

Where permission is granted for development in flood risk areas, or for development that would increase the risk of flooding, appropriate flood alleviation or mitigation measures, to be funded by the developer, must be undertaken.

Other Planning Policy documents considered to be relevant to the determination of this application are;

PPS1 – Delivering Sustainable Development

PPS3– Housing

Policy Guidance 15: Planning and the historic environment

SPD 6 – Planning Obligations

Interim Student Housing Document

SITE AND SURROUNDINGS

9. The application site is a large industrial style building with associated car parking which is set slightly below the existing road level by approximately 0.5 metres. The site is triangular in its nature and is bounded by three main highways, Mandale Road, Middleway and New Street.
10. The existing industrial unit occupies the north-eastern and central area of the site with a large car parking area situated to the south of the building, at present there are a few area of landscaping on the site boundary helping to soften the existing development.
11. A variety of commercial units are in close proximity to the application site, comprising of a mix of industrial, warehousing and retail uses. The Grade II listed Thornaby Town Hall lies to the east of the site, given the transport links through the area both the application site and the Grade II listed Town Hall are the prominent buildings within the area.

MATERIAL PLANNING CONSIDERATIONS

12. The main planning considerations of this application are the impacts of the development on planning policies, the character of the area, the setting of the listed building, the amenity of the neighbouring properties, access and highway safety and flood risk.

Principle of development;

13. The application site lies within the limits to development as defined by the 1997 proposals map and is classed as previously developed land as set out in Planning Policy Statement 3; Housing.
14. The principle if development is therefore considered to be acceptable subject to policies GP1, HO3, HO11, EN28 and EN32a of the adopted Stockton on Tees Local Plan.

Site Sustainability;

15. The application site is situated within the Mandale triangle and lies within 1km of both the University Campus and Stockton High Street. The site is therefore considered to within easy walking and cycling distance to the educational facilities and a variety of services in the Town Centre. In additional the proposed development is adjacent to major bus routes and the Train Station and therefore has excellent public transport links to the Tees Valley region and beyond.
16. Due to these factors the proposed development is considered to be a sustainable location for this type of accommodation and sequential is an excellent site and would meet the sustainable development and social inclusion agenda set out in PPS1.

Need for student accommodation;

17. PPS 3 and the Tees Valley Structure Plan debate the provision of housing in general and affordable housing although do not specifically focus on the provision of student housing. In general terms, it is advised that housing provision is focused in sustainable locations on previously developed land, which this proposal achieves.
18. As part of the submitted Design and Access statement a brief argument to address student need as been put forward. It states that whilst there has been much debate over student need in recent times and that it is generally agreed that approximately 1500 students require accommodation, deducting the existing university provision; there is therefore a shortfall of approximately 1000 student beds. It is also suggested that purpose built accommodation would provide better quality accommodation and has the potential to remove incompatible uses in residential areas
19. However, Members will be aware that on the 6th November 2008, an interim student accommodation policy guidance document, was considered and approved by cabinet. The purpose of this document is as interim policy guidance, to be used to determine planning applications with immediate effect. The interim document sets out the evidence base for the current student market in the borough and argues that there are approximately 1,200 student require, however due to the Rialto Court development this leaves a maximum demand of approximately 800 students at this time. In addition, there are currently two planning permission for purpose built student accommodation; at North Shore, for 520 bed spaces, and at Dovecote Street; for 36 bed spaces. Should both of these developments with extant planning consent be constructed a maximum of 250 students will be left to be accommodated elsewhere.
20. Given that a certain element of students will want to live in more residential areas, it can be argued that the existing student demand and need is met by existing development, extant consents ad the private sector. Members should however, be aware that competition between types of accommodation is not a material planning consideration or the role of the planning system.
21. The interim student accommodation document therefore sets out that;

“Major planning applications for student accommodation will have to demonstrate how they will meet a proven need for the development; are compatible with wider social and economic regeneration objectives; and are conveniently located for access to the University and local facilities.”
22. Given that the site is in a sustainable location an element of the above statement is met. However, given that a robust argument has not been provided to demonstrate that the development will meet a proven need the proposal is considered to fail to meet the requirements of the interim policy guidance, recently agreed by cabinet.

Impact on the character of the area

23. It is accepted that the existing building is not visually attractive and offers little to the street scene as a whole and the proposed redevelopment of the site would provide the opportunity to improve the appearance of the site and provide the chance of a signature high quality building.
24. The Urban Design unit has considered the scale and massing study and consider that the whole development is reduced in height by 1 storey and that the development as a whole reaches no higher than 4 storeys' in and around the Town Hall.

25. A revised massing study has recently been received and whilst this reduces the massing to 5 storey's adjacent to the Town Hall the overall massing of the building remains the same and has been increased at the rear. No formal comments have been received as yet in relation to the changes from the Urban Design Unit, but it is not considered that the changes are sufficient enough to address their concerns.
26. Overall the scale of the building is judged to be unacceptable based on the indicated building height, giving an impression of overdevelopment.
27. Whilst the scale and massing of the development has been amended it is considered that on balance the proposed development is over dominant within the street scene and would be an obtrusive feature within the context of the area as a whole. Consequently the proposed development is considered to be contrary to policy GP1 of the Local Plan and planning policy Statement 1.

Setting of listed building

28. The proposal has been considered in relation to the impact of the development on the setting of the adjacent listed building. Whilst the original scale and massing study has been amended recently the Town Hall is no more than 3 stories in height. I consider that the proposed height of five storeys adjacent to the listed Town hall is unacceptable and that the overall bulk and massing of the building is unacceptable.
29. Concerns also remain that approval of such a dominant building at this stage of the planning process, may set an undesirable benchmark for the design of the end building. Any new building on the site should reflect the context of the Town hall and help to restore the gateway setting into Thornaby.
30. The development is considered to be out of context with the area as a whole, having an over dominant impact of the setting and prominence of Thornaby Town Hall. Accordingly the proposal is considered to be detrimental on the setting of the listed building, contrary to policy EN38 of the adopted Local Plan.

Impact on levels of amenity;

31. The surrounding area is made up of a mix of commercial premises, the proposed development is considered to be a suitable type of development for the town centre fringe area and subject to accordance with Building Regulation provisions with regard to noise insulation, should not unduly affect the surrounding area or adjacent premises. Were the application to be approved, it is considered appropriate conditions would be necessary in order to ensure adequate noise insulation is achieved for the future occupiers.
32. Therefore the proposed development is not considered to have a detrimental impact on existing levels of amenity and the future users of the development will benefit from an acceptable standard of amenity. The proposal therefore accords with policy GP1 in this respect.

Access and Highway Safety;

33. The highways officers of the urban design unit have considered the information provided by the applicants, they cannot support the application at this time as a transport assessment has not been submitted to demonstrate the traffic movements associated with the development to ensure the development does not have a detrimental impact on the highway network.
34. Despite the lack of a transport statement, it is considered that the development will cause increased pedestrian trips to both Stockton Town Centre and the University campus, there a commuted lump sum of £4,000 to improve pedestrian linkages, resulting in an improvement to

the signalised junction on Yale Crescent/Bridge Road by way of dropped Kerbs and tactile pavements.

35. It is also envisaged that the development is likely to result in increased use of public transport and a contribution to the planned major bus route scheme is also required. This sum is calculated on the basis of £70 per bedroom and totals to a contribution of £18,200. In both these instances the developer has confirmed there are no objections in providing these contributions.
36. Access into the site is to remain from New Street; however, the existing situation of an out only onto Mandale Road must be maintained.
37. The parking provision of 16no. spaces is considered to be acceptable for the levels of development proposed, although no details have been included in relation to cycle parking. And these details would be required as part of a reserved matters application.

Flood Risk

38. The Environment Agency have considered the information supplied in support of the application and have raised no objections to the proposed development subject to a planning condition being imposed on any approval granted to address surface water drainage. The proposed development is therefore not considered to pose any significant threat to flood risk, and the development accords with policy EN32a of the local plan alteration in this respect.

Residual Issues

39. Concerns have been raised in relation to the impact of surrounding industrial uses on the levels of amenity of potential future occupiers of the development. Whilst these concerns are appreciated the Environmental Health Unit are satisfied that the development and surrounding uses are compatible with one another subject to conditions regarding provision for adequate noise insulation.
40. Whilst it is appreciated that the development may have some regeneration benefits, in this particular instance it is not considered to be significant enough to outweigh the impacts of the development on the character of the area or the settling of the listed building.

CONCLUSION

41. The scale and massing of the proposed development is considered to be inappropriate in the context of the street scene and would have a detrimental impact on the setting if the grade II listed Thornaby Town Hall. It is also considered that the applicant has failed to satisfactorily demonstrate the required need for further student accommodation.
42. The application is therefore considered to be contrary to policies GP1 HO3, HO11 and EN28 of the adopted Stockton on Tees Local Plan, the Interim Student Accommodation policy guidance document and Planning Policy Statement 1 (PPS1), consequently the proposed development is recommended for refusal.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Simon Grundy Telephone No 01642 528550

Financial Implications.

None

