

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 26th NOVEMBER 2008

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

08/2713/FUL

**Former Rocket Building, Railway Terrace, Thornaby
Erection of student accommodation unit with 197 bedrooms and bar
(demolition of existing buildings)**

Expiry Date 4 December 2008

SUMMARY

Planning consent is sought for the erection of 197no. Student bedrooms and a public bar. The overall design of the building is both modern and contemporary and of a unique design. The development ranges in height from 3 storeys adjacent to the Town Hall to the west of the site to 9 storeys in the far eastern edge of the site.

The application site is a two-storey building with a large industrial style building with associated car parking to the east, which formed the former Rocket Union. 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 west of the site,

In summary the revised drawings have addressed some of the concerns of the Local Authority in terms of the scale/massing and design. These changes have also addressed the previous concerns in terms of the impact on the adjacent listed Town Hall.

Whilst it is appreciated that the development may have some regeneration benefits, in this particular instance the applicant has demonstrate that there is a proven need as outlined in the Interim Student Accommodation policy guidance document and is recommended for refusal on this basis.

RECOMMENDATION

Planning application 08/2713/FUL to be refused for the following reason

01. In the opinion of the Local Planning Authority the applicant has failed to satisfactorily demonstrate how they will meet a proven need for the development; contrary to the Council's adopted interim student accommodation policy guidance document.

PROPOSAL

1. Planning consent is sought for the erection of 197no. Student bedrooms and a public bar. The accommodation is to be provided across three separate building, with two of the buildings joined by a glass corridor/stairwell.
2. The overall design of the building is both modern and contemporary and of a unique design. The development ranges in height from 3 storeys adjacent to the Town Hall to the west of the site to 9 storeys in the far eastern edge of the site. The proposal indicates a variety of material although this would formally be agreed through a planning condition.
3. Access is provided along the southern boundary of the site and gives access to 5no. disabled/drop off car parking spaces.

CONSULTATIONS

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

English Heritage

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

Urban Design Engineers

I refer to your memo dated: 08/09/08

General Summary

Urban Design has verbally indicated that following the receipt of revised plans they support this application in relation to the Built environment and make the following comments.

Highways Comments

This proposal is for student accommodation comprising 204 bedrooms and a bar. The only car parking provision proposed is 5no. car parking spaces for disabled use. Access to the site would be gained via Railway Terrace from A1130 Mandale Road.

The applicant has provided a Transport Statement (TS), which states that the site is in a sustainable location due its proximity to the University of Durham Queen's Campus and Stockton Riverside College and therefore requires no incurtilage car parking. It is agreed that in this location the provision of only disabled car parking spaces is acceptable. The applicant should provide a management plan for arrival/departure days detailing how the influx of vehicles will be dealt with.

In order to promote the use of cycles high quality covered, secure cycle storage should be provided. The submitted plan appears to show 'butterfly' stands that are not acceptable. Cycle storage for the west block should be close to entrance not tucked away to the rear. The cycle storage standard for student accommodation is 1 space per 30 residents therefore 41 spaces should be provided.

The TS states that fire appliance access to the east block is not required, which we question however Cleveland Fire Brigade will comment on this.

The applicant states that they will use a private refuse collection service using smaller vehicles than standard refuse wagons that will be able to manoeuvre within

the site. The applicant should submit a refuse management plan detailing how they intend to meet recycling requirements.

A method of works statement should be submitted to and approved in writing by SBC detailing how all demolition and construction works are to be carried out, as this will have an impact on the surrounding highway.

The applicant proposes amendments to TROs in the area however there is an ongoing project reviewing all TROs in the surrounding area and should any amendments be required as a result of this application the applicant would have to fund these.

A commuted sum of £70 per bedroom (£14280) is required as a contribution toward the Major Bus Scheme.

The applicant has submitted a Travel Plan, which should be developed with the SBC Travel Plan Officer with a full Travel Plan being submitted within 6 months of occupation.

Subject to the details above and confirmation from Cleveland Fire Brigade that the access arrangements are acceptable we raise no objections.

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.
- There is a significant loss of existing tree planting as a result of the development and again there is insufficient space generally on site to provide suitable replacement planting/public realm treatment to compensate for the loss.
- There are insufficient distances between the proposed east block and existing industrial unit to the north east corner of the site to achieve a significant landscape buffer, noting that there is only 3metres in places between the proposed and existing buildings. I recommend that the distance between the proposed development and the existing industrial units is increased to allow sufficient soft landscaping to be implemented.

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;

Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns 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 premises are not adversely affected by either customers using the premises or from vehicles servicing the premises at unsocial hours.

Noise disturbance from adjacent railway

Before the use commences, any living rooms or bedrooms with windows affected by railway noise levels in excess of 65 dB(A) (LAeq) (measured at a point 1 metre from the facade of any dwelling) between 07.00 and 22.00 hours or 60 dB(A) (LAeq) between 22.00 and 07.00 hours, the developer shall insulate the dwellings in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from rail traffic noise.

Construction Noise

All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

Possible land contamination

If potential risks are identified an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property (existing)

Tees Archaeology

Thank you for the electronic consultation on the above planning application.

I have checked the application online and have no objection to the development on archaeological grounds. I presume that Fiona Short will be providing comments on the impact of the development on the adjacent listed building.

The Environment Agency

Thank you for referring the above application which was received on 8 September 2008. We have no objection to the proposed development subject to the following **CONDITIONS** being placed on any granted planning permission.

CONDITION: 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 trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the LPA.

REASON: To prevent pollution of the water environment.

CONDITION: No development approved by this permission shall be commenced until

a scheme for the provision and implementation of a surface water drainage and attenuation system has been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of long term maintenance responsibilities. The agreed scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent the increased risk of flooding.

Informative for applicant: The flood risk assessment is generally acceptable subject to details of surface water drainage and attenuation being agreed.

We would also like to make 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.

Sustainable Construction / 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 Code for Sustainable Homes. In addition, we consider the proposed development should have embedded within it a minimum of 10% energy supply from renewable resources.

NEDL

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

Northern Gas Networks

Awaited

Northumbrian Water Limited

There is an existing public sewer within the application site. This development may affect the sewer. Northumbrian Water will not permit a building close to or over its apparatus. The developer should contact Northumbrian Water Ltd if it is proposed to sink boreholes or excavate foundations within 4.5 M of the sewer. No tree planting or alteration of the land within at least 3m of the sewer will be allowed without the permission of Northumbrian Water. This sewer could be diverted or accommodated in the site layout. The developer should contact Maurice Dunn at this office (tel 0191 419 6577) to discuss the matter further.

A plan showing the location of the sewer is enclosed.

It is important that Northumbrian Water is informed of the local planning authority's decision on this application. Please send a copy of the decision notice.

Spatial Plans

The proposed site is defined in the Alteration Number 1 to the adopted Local Plan proposals map as being within flood risk zone 2. This means that it is covered by policy EN23a which states:

"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 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."

The site has no particular designation in the Local Plan. However, it is situated adjacent to a Grade II listed building meaning that Local Plan policy EN28 applies. This states "development which is likely to detract from the setting of a listed building will not be permitted." PPG15 also offers guidance on how the setting of the listed building should also be taken into account when considering applications adjacent to listed buildings.

PPS1 Delivering Sustainable Development emphasises reducing the need to travel by private car by ensuring that new development is located where everyone can access services on foot, bicycle or on public transport. The proposed site is in close proximity to train and bus links. Teesdale and Stockton town centre can also be accessed on foot.

The Local Plan contains no specific targets or precise allocations for student accommodation. National planning policy for housing, expressed in particular through Planning Policy Statement PPS3 Housing, confirms the Government's intention that everyone should have the opportunity of living in a decent home. PPS3 offers no particular guidance in respect of student housing but one central aim is "to create sustainable, inclusive, mixed communities in all areas" (paragraph 9). It says also that one specific outcome of the planning system should be "a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas" (paragraph 10). Therefore, there are no policy objections in principle to providing student accommodation in this location.

Private Sector Housing

The 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.

In addition the 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 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 has previously forwarded concerns to Laura Edwards 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 empties.

Natural England

Thank you for consulting Natural England on the above proposal. Your letter was received by this office 8 September 2008 with the supporting documentation entitled Bat Surveys and Risk Assessment for The Rocket Station Terrace at Thornaby, by Veronica Howard, May 2008.

In the protected species report the consultant has stated that there were no constraints to the survey of the exterior of the building, but the inside of the building does not appear to have been checked for the presence of bats. Although the consultant considers that this development will have a very low risk of any impact on bats, due to the nature of the proposed work it would be appropriate for an internal survey to be carried out.

Based on the information provided, Natural England feels that there is insufficient information for the Local Planning Authority to reliably assess the likelihood of harm to protected species from the proposed development.

Natural England would advise that adequate survey effort, at the appropriate time of year should be undertaken prior to determination of this application, in accordance with ODPM circular 06/2005 paragraphs 98-99.

Any revised survey work submitted to the Local Planning Authority should be assessed by the LPA against the issues raised above. If the revisions are considered adequate, the LPA does not need to re-consult Natural England.

If the LPA feels that any of the issues have not been adequately addressed, they may wish to reconsult Natural England.

Comments received 3rd October 2008

Following our earlier response of 29th September, regarding the lack of information on the intention of the building, we have now revised an updated report including the detail requested.

Based on the information now provided, Natural England advises that the above proposal is unlikely to have no adverse effect in respect of species especially protected by law

Thornaby Town Council

Thornaby Town Council objects to this application on the following grounds:

That the development proposed is contrary to policy GP1 (i), (ii), (iii) and (viii) of the Local Plan.

Please inform the Council of the Planning Committee's decision

Historic Buildings Officer

I have concerns over the design quality of the proposal, which I consider will have an adverse setting on the grade II listed town hall.

Integrity and coherence

The existing site buildings have little historic or architectural interest however their form gradually declines in height and prominence from the grade II listed Town Hall,

stepping away in natural progression along the terrace and are subservient to the Town Hall. This allows the Town Hall to take pride of place as the prominent municipal building with a commanding setting.

The need for high architectural is particularly acute in this location due to the presence of the Town Hall on the adjoining site; 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.

The applicant states that the proposal is only the same height at the highest point of the Town Hall. This may be the case however, the Town Hall is no more than 3 stories in height at the rear and the continuous block of the proposed West Block is visually dominating and harsh and I consider that the bulk and massing are unacceptable.

This architectural 'blocky' form is out of context next to this important grade II listed building. The Town Hall appears as an after thought rather than the starting point for the contextual analysis of the site and surroundings and does little to inform the design solution. The palette of materials proposed although contemporary, jar with the free renaissance design of the Town Hall and do little to root the proposal in its setting.

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.

Redevelopment of the site in close proximity to the Town Hall offers opportunities to restore the context of the Town Hall rather than further alienating it from its surroundings, which has occurred through past inappropriate development. This proposal does not respect the setting of the hall and little thought has been given as to how the spaces around the building will interact with neighbouring uses.

Although there may be scope to increase height towards the rear of the site and any development one would expect a natural incline in height away from the clock tower in order to respect the setting.

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.

The proposed design solution should be based around a sound understanding of the context of the proposed application site and I have concerns over proposed architectural form, detailing and materials in this location and the resulting impact on the setting of the Town Hall.

Comments received 17th November 2008

Further to my previous comments I consider the revised drawings an improvement to the previous submission.

The division of the large central block into two smaller blocks separated by the glazed stairwell helps to break up the massing and makes the building less visually dominating.

The block adjacent to the Town Hall has been reduced in height and bulk and now offers opportunities to create a shared courtyard space at the rear of the Town Hall to enhance the setting.

The 'finial' detail to the East Block could detract from the town hall and I think the scheme in general would benefit from further articulation of the elevations, in particular the East block and the block adjacent to the Town Hall. This would ensure that the rhythm of the fenestration of the Town Hall is picked up in the adjacent block.

In general I am happy with the scale and massing of the proposal and feel that further detailed drawings could address any issues regarding design, materials and colour palette.

CABE

We regret to say that we are unable to review this scheme, as we are consulted on more projects than we have the resources to deal with

Councillor Sylvia Walmsley

Wishes to place on record my objection to the above proposal for the following reasons:

The development is totally out of keeping with the street scene

The development will have a negative impact on the historical buildings of the Town Hall

The design concept is extremely tacky and lacks any kind of quality, resembling something made from Lego bricks

The University have implied that there is already an over supply of student accommodation in the area

There is insufficient car parking provision.

PUBLICITY

5. A total of number of 23 objections have been received in relation to the application the comments are detailed below (in summary);

- There is no justification at for further student accommodation
- There is enough good quality private affordable student accommodation in the local area
- Issues with parking and traffic congestion
- Overall concentration of students in one locality.
- f noise and disturbance generated by the students
- Impact on existing facilities/infrastructure
- Size, scale and design of building
- Impact on the Listed Town Hall
- Bar/club will cause problems to local residents
- Lack of kitchen facilities
- Overlooking of railway station and residential area
- Neighbouring industrial uses and residential use are not compatible
- Proposal is overbearing
- Loss of daylight and privacy

PLANNING POLICY

5. 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).
6. 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 EN6

Development proposals likely to result in harm to a protected plant or animal species or its habitat will not be permitted unless satisfactory provisions for these species have been made.

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

7. The application site is a two storey building with a large industrial style building with associated car parking to the east, which formed the former Rocket Union. The site is narrow in its nature and is bounded by the railway to the north and industrial units to the south.
8. Presently there are a few areas of landscaping on the eastern site boundary helping to soften the existing development and the car park.
9. 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 west of the site, given the transport links through the area the Grade II listed Town Hall is one of the most prominent buildings within the area.

MATERIAL PLANNING CONSIDERATIONS

10. 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, flood risk, features of Archaeological Interest, and protected species.

Principle of development;

11. 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.
12. The principle of development is therefore considered to be acceptable subject to policies GP1, HO3, HO11, EN6, EN28 and EN32a of the adopted Stockton on Tees Local Plan.

Site Sustainability;

13. The application site is situated within the Mandale triangle and lies within approximately 1km of both the University Campus and Stockton High Street. The site is therefore considered to be within easy walking and cycling distance to the educational facilities and a variety of services in the Town Centre. In addition 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.
14. 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;

15. 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.
16. As part of the submitted design and Access statement a brief argument to address student need has 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.
17. However, Members may 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. The interim document sets out the evidence base for the current student market in the borough and argues that there are approximately 1,200 students 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 permissions 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.
18. 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 and 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.

19. The interim student accommodation document therefore set 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.”

20. It is acknowledged that the site is in a sustainable location and would have some regeneration benefits in terms of the current site. 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.

Character of the area;

21. Concerns by the Urban Design unit were raised in relation to the overall scale and massing of the development and well as elements of its design. Following discussions the applicants agent have amended the design and reduced the overall bulk of the development and implemented design changes to improve the overall exterior of the development.

22. Further comments in relation to the revised design are awaited from the Urban Design unit, but the overall design follows the discussions with the Council's officers and it is not anticipated that there will be any objection to the development.

23. On this basis the proposed development is considered to accord with policies GP1, HO3, HO11 of the Local Plan and PPS1 in design terms.

Setting of the listed building;

24. Concerns were raised over the scale and massing of the original design and its impact on the setting of the adjacent Grade II listed building. Following discussions the applicants agent have amended the design and reduced the overall bulk of the development and implemented design changes to improve the overall exterior of the development.

25. The revised drawings are considered to be a improvement on the previous design and the division of the central block into two smaller blocks separated by the glazed stairwell helps to break up the massing and makes the building less visually dominating.

26. In addition the reduction of the massing adjacent to the Town Hall has been reduced and there remains the opportunity to enhance the overall setting of the listed building through public realm improvements.

27. Overall the revised proposal is not considered to have a significant impact on the setting of the listed building, although planning conditions should be imposed on the development to secure details regarding regarding design, materials and colour palette. The proposal is therefore considered to accord with Policy EN28 of the adopted Local Plan in this respect.

Amenity of the neighbouring properties;

28. 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.
29. 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.
30. Some objectors have raised concerns in terms of the impact of the development on levels of daylight and privacy. The proposed site and development will lie approximately 85 metres from the nearest residential properties on Teesdale. Despite the height of the development is considered that this distance would ensure that there is an acceptable level of both amenity and privacy maintained for the existing residents
31. With regards to the impact of the Bar on local residents, the Environmental Health Unit have considered that opening hours should be restricted in order to prevent noise and disturbance at unsocial hours. Should the development be approved it be seem reasonable to restrict opening hours to 11pm.

Access and highway safety;

32. The Council's Highways Officers have considered the original proposed development and the access/parking requirements for the 204 student bedrooms and bar.
33. The applicant has provided a Transport Statement (TS) that states that the site is in a sustainable location due its proximity to the University of Durham Queen's Campus and Stockton Riverside College. It is agreed that in this location the provision of only disabled car parking spaces is acceptable. However, a management plan should be provided in relation to how the arrival/departure of students into the building and vehicle movements will be addressed.
34. Cycle parking provision for the development is also required, the current details are not considered acceptable and a total of 41no. secure and covered stands are required and this could be addressed via a planning condition. A private refuse collection system is to be provided and details of a refuse management plan and how recycling is to be addressed is required and again this can be addressed via a planning condition.
35. Given the likely increased useage for public transport, comments have been made in relation to funding of new Traffic Regulation orders (TRO's) as a result of the development and a commuted lump sum for the Major Bus Scheme in the area at a fee of £14,280 is also required. These costs should be secured through either a unilateral undertaking or a section 106 agreement.
36. The applicant has submitted a Travel Plan, which should be developed with the SBC Travel Plan Officer with a full Travel Plan being submitted within 6 months of occupation, again this can be addressed via a planning condition.

37. Issues raised in relation to the method and works statement in terms of the demolition of the building and the requirement of the travel plan to be revised and submitted within 6 months of occupation can also be addressed via a planning condition, should approval be granted.
38. Given the above and as there is no objection to the original proposal, the development is in terms of access and highway safety considered to be acceptable and the revised development is expected to be in accordance with policy GP1 of the adopted Stockton on Tees Local Plan.

Flood risk;

39. The Environment Agency have assessed the development in relation to flood risk and have no objection to the development subject to conditions to provide trapped gullies and a surface water drainage and attenuation system, in order to prevent increased risk of flooding and to prevent water pollution.
40. On this basis the proposed development is considered to accord with policy EN32a of the Local Plan Alteration.

Features of Archaeological Interest;

41. Tees Archaeology have no objection to the proposed development on archaeological grounds, the development is therefore not considered to pose any significant threat to archaeological remains and accords with policy xxx of the adopted Stockton on Tees Local Plan

Protected species;

42. Although Natural England originally stated that further information was required in terms of the survey data supplied, this has now been supplied
43. The development is therefore not considered to have a detrimental impact on the habitats of species protected by law or the species themselves, accordingly the development is considered to be in accordance with Policy EN6 of the Local Plan

Residual Issues;

44. 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.

CONCLUSION

45. In summary the revised drawings have addressed some of the concerns of the Local Authority in terms of the scale/massing and design. These changes have also addressed the previous concerns in terms of the impact on the adjacent listed Town Hall.
46. Whilst it is appreciated that the development may have some regeneration benefits, in this particular instance it is not considered that the argument over the need has been satisfactorily addressed to demonstrate that there is a proven need as outlined in the Interim Student Accommodation policy guidance document and the application is therefore recommended for refusal on this basis.

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

Financial Implications.

None

Environmental Implications.

As report.

Community Safety Implications.

As report

Human Rights Implications.

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

Background Papers.

Stockton on Tees Local Plan

Tees Valley Structure Plan

Planning Policy Statement 1; Delivering Sustainable Development

Planning Policy Statement 3; Housing

Policy Guidance 15: Planning and the historic environment

SPD 6 – Planning Obligations

Interim Student Housing Document

WARD AND WARD COUNCILLORS

Ward Mandale and Victoria

Ward Councillors Mrs A Trainer, S F Walmsley and T Large