

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 17th December 2008

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

08/3242/FUL

87 - 91 Oxbridge Lane, Stockton

Erection of new convenience store to the rear of the site, new canopy, tanks and pump islands (demolition of existing petrol station, car sales building, workshop and canopy

Expiry Date: 28 December 2008

SUMMARY

Members may recall a recent planning application for the redevelopment of Stevenson's Garage and Oxbridge Petrol Filling Station, to form a new convenience store, new canopy, tanks, pump islands relocation of ex jet wash and additional jet wash. This application was approved with conditions on 9th March 2008.

A condition restricting the hours of operation from 6.00 to 21.30 was attached to the approval. The applicant appealed against this condition and the Planning Inspector allowed the appeal, increasing the hours of operation to 6.00 to 23.00.

Planning permission is now sought for the redevelopment of existing petrol filling station, which includes a jet wash, car wash, car sales, and car repair garage. The proposed scheme is for the erection of a convenience store, replacement petrol station, ATM, car parking, and access.

The planning application has been publicised by means of individual letters, and 10no letters of objection have been received objecting to visual amenity, noise and disturbance, increased traffic and highway safety. There have been no objections from consultees and no response from the Ward Councillors.

The main planning considerations relate to the principle of development, impact of the redevelopment on the character of the area and street scene, impact on the amenity of the occupants of neighbouring properties in terms of visual amenity, noise, disturbance, access and highway safety, including internal manoeuvrability, landscaping and visual impact.

It is considered that overall the proposed development is acceptable and is recommended for approval with conditions.

RECOMMENDATION

It is recommended that planning application 08/0371/FUL be APPROVED subject to the following conditions:

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

Plan Reference Number	Date on Plan
SBC0001	29 October 2008
7350	29 October 2008
7350	29 October 2008
7351	29 October 2008
7352	29 October 2008

Reason: *To define the consent.*

- 02.** *Construction of the external walls and roof shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.*

Reason: *To enable the Local Planning Authority to control details of the proposed development.*

- 03** *In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.*

Reason: *To ensure the proper restoration of the site.*

- 04.** *Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of ground levels and finished floor levels for the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.*

Reason: *To take into account the developments impact on surrounding properties.*

- 05.** *Before the refrigeration, air conditioning, and air pump, are brought into use, the equipment shall be insulated against the emission of noise in accordance with a scheme to be approved by the Local Planning Authority. Such noise insulation shall be installed in accordance with the approved scheme and thereafter maintained to the satisfaction of the Local Planning Authority. Any new plant installed subsequent to the approval shall not increase background levels of noise as agreed without the agreement in writing of the Local Planning Authority.*

Reason: *To prevent noise disturbance in the interests of the amenity of the occupants of neighbouring premises*

- 06.** *Notwithstanding the plans hereby approved, before development commences a scheme detailing a 2.4m high acoustic wall and fence around the boundaries of the*

site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be erected before the development hereby approved is brought into use and thereafter shall be retained and maintained in accordance with the approved scheme for the lifetime of the development.

Reason: In the interests of the amenity of the neighbouring properties

- 07.** *No development shall be commenced until details of all the means of enclosure on the site have been submitted to and approved by the Local Authority. Such means of enclosure as approved shall be erected before the development hereby approved is occupied and retained thereafter for the life of the development hereby approved.*

Reason: In the interests of a visual amenity.

- 08.** *Any internal or external lighting shall be shielded and arranged so as not to shine directly towards any dwelling and prevent any light spillage beyond the boundary of the premises, details of which must be submitted to and approved in writing by the Local Planning Authority prior to installation.*

Reason: To prevent light pollution in the interests of the amenity of neighbouring properties.

- 09.** *Notwithstanding the proposals detailed in the submitted plans, no development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the Council's Design Guide, Specification (Residential and Industrial Estates Development) current edition BS4428: 1989, Code of practice for General Landscape operations, and the Horticultural Trades Association (2002) Code of Practice. The scheme shall be completed in the first planting season following commencement of the development or prior to the occupation of any part of the development whichever is the sooner.*

Reason: To ensure a high quality-planting scheme is provided in the interests of visual amenity that contributes positively to local character and enhances bio diversity.

- 10.** *Prior to commencement of development, notwithstanding the proposals detailed in the submitted plans, a soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation shall be submitted to and approved in writing by the Local Planning Authority. Maintenance shall be detailed for a minimum of 5 years from date of completion of the total scheme regardless of any phased development. Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local Planning Authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation. Landscape maintenance shall be detailed for the initial 5-year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.*

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity

- 11. Notwithstanding the proposals detailed in the submitted plans no development shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finish and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.**

Reason: To enable the Local Planning Authority to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area

- 12. The car park shall be constructed, surfaced and marked out in accordance with the details shown on Drawing Number 735/50, before the development hereby approved is brought into operation and that area shall not thereafter be used for any purpose other than the parking, loading and unloading of vehicles.**

Reason: To make proper provision for off street parking.

- 13. Prior to the first use of the development hereby permitted, a scheme showing an 'exit' and 'entrance' system shall be submitted and approved in writing by the local planning authority and thereafter retained and shall then be constructed, surfaced and marked out in accordance with the approved details and be maintained throughout the lifetime of the development.**

Reason: In the interests of highway safety and manoeuvrability within the site.

- 14. During construction of the scheme hereby approved there shall be no operation of plant outside the hours of 8.00a.m. - 6.00p.m. Weekdays, 8.00a.m. - 1.00p.m. Saturdays and at no times on Sundays or bank holidays.**

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties

- 15. The premises shall not be open for business or goods for sale, nor shall stock or supplies of fuel be delivered thereto, outside the hours of 6:00 and 23.00 Monday to Sunday.**

Reason: To ensure that the amenity of the occupiers of the adjoining residential properties are not adversely affected by the development.

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the development is considered to be a suitable use for the local area and will not have an adverse effect on the vitality and viability of the neighbourhood centre or Stockton Town Centre, or have an adverse impact on the amenity of the occupants of neighbouring properties, highway safety or landscaping and there are no other material considerations which indicate a decision should be otherwise.

Adopted Stockton on Tees Local Plan (June 1997) - GP1 General Principles

Alteration No 1 of the Stockton on Tees Local Plan – S1 Retail Hierarchy and S21 Petrol Filling Stations

Planning Policy Statement 6: Planning for Town Centres

Supplementary Planning Document 3: Parking Provision for New Developments

BACKGROUND

1. Planning permission was granted for the demolition of the existing petrol filling station and the erection of three retail shop units with associated car parking, (05/3462/FUL). The proposal incorporated three separate retail units totalling 686sqm of retail space. This scheme has not been implemented, but remains a valid permission. Copies of the approved plans are attached at Appendix A.
2. Planning permission was sought for the erection of a retail unit, petrol filling station, automatic car wash and jet wash. (Application 07/3166/FUL) to which 18no objections were received. The application was withdrawn in order to address matters relating to noise, car parking and landscaping.
3. Planning permission was granted for the erection of new convenience store, new canopy, tanks, pump islands relocation of existing jet wash and additional jet wash, (Application: 08/0371/REV). Copies of the approved plans are attached at Appendix B.
4. A condition was attached to the approval restricting the hours of operation to 6:00 and 21.30 Monday to Sunday. The applicant appealed against this condition and the Planning Inspectorate allowed the appeal with a condition restricting the hours of operation to 6:00 and 23.00 Monday to Sunday. A copy the appeal decision is attached at Appendix C.

SITE AND SURROUNDINGS

5. The site is currently occupied by a petrol filling station and its associated forecourt and shop. An automatic car wash is located in the centre of the site and there is also a jet wash. A vehicle repair garage is to the rear of the site and car sales to the west. All these structures are to be demolished should this application be approved.
6. Housing is located adjacent to the rear boundary and to the west of the site and retail units to the east. To the south of the site are an existing car sales premises and retail units.

PROPOSAL

7. This further application again seeks planning permission for the redevelopment of existing petrol filling station, jet wash, car wash, car sales, and car repair garage. The new scheme includes a convenience store, petrol station, ATM, car parking and access and the applicant has removed the jet washes that were included in the previously approved scheme.
8. In detail, the applicant seeks permission for the erection of a convenience store located to the north of the site measuring 29 metres x 13.3 metres x 4.3 metres high to the front, sloping to 3.6 metres high to the rear, with a two storey element to the eastern end of the building measuring 13.2 metres x 7.3 metres x 6.6 metres high. The proposed building will incorporate a sales area of approximately 280 square metres, cash office, storeroom and a staff room, with two additional storage areas at first floor.

9. The proposed canopy and pump island will be in the centre of the site on approximately the same footprint as the current pumps.
10. The proposal includes 20 no. parking spaces to the north, east and west of the site, 2no cycle stands, a small area of landscaping to the south east of the site and modifications to the existing access.

CONSULTATIONS

Councillors

11. No comments made

Urban Design

Highways Comments

12. In accordance with SPD3 a 280 sq m shop should provide 9no. car parking spaces. The submitted plans show 20no. spaces, which will provide parking for the shop and accommodate parking for the ATMs. The applicant has demonstrated that delivery vehicles will be able to manoeuvre within the site. To ensure traffic circulates efficiently through the site the applicant should ensure that the western access point is the entrance and the east access point is exit only.

Landscape & Visual Comments

13. Previously comments ref 07/3166/ful application still apply and the parking element of the new application may not permit planting, however opportunities should be sought to soften the appearance, gable end climbers are an option. The strip to the gable of no 93 could provide a suitable robust hedge/planting for year round interest. Additionally the area to the front of the above property is not clear on the proposals - this could be available for soft landscaping. Any low level planting however should not include opportunities for seating which can cause anti social problems, in particular low walls / low rails. If consent is granted, conditions should be applied.

Environmental Health Unit

14. I have no objection in principle to the development providing conditions be imposed on the development relating to;
 - Noise disturbance from plant
 - Noise disturbance from access and egress to service yard
 - Unexpected land contamination
 - Light Intrusion
 - Construction Noise

Northumbrian Water Limited

15. The application has been examined and Northumbrian Water has no objections to the proposed development.

Northern Gas Networks

16. Standard Response

CE Electric UK

17. Standard Response

PUBLICITY

Mrs M McCabe, 7 Suffolk Street' Stockton-on-Tees

18. Concerns about the size of the pumps as at night you can here noise from cars with banging and engines running.

Mr Chung Tsang, 1 - 3 Suffolk Street' Stockton-on-Tees

19. Object as the proposal would lead to traffic on the main road, Oxbridge Lane and I already have difficulties with parked cars.
We already have one convenience store with noise fans on the roof we do not need another store open through the night

E Walker, 75 - 77 Oxbridge Lane' Stockton-on-Tees

20. I strongly object as this will encourage public nuisance, antisocial behaviour and crime. We do not need a new convenience store as there are already two convenience stores on Oxbridge lane that sells alcohol etc. If this application was to go ahead this will encourage more traffic at rear of the site which will create more suffering to residents living local from high volume noise, shouting, more gangs hanging around at the rear of the site etc.

Brenda Collins, 13 Malvern Road' Stockton-on-Tees

21. Concerned about noise and if this garage is 24 hours my Daughter will get no sleep. Also concerned about bottles and cans being thrown over into my rear garden.

P Bradshaw, 5 Malvern Road' Stockton-on-Tees

22. Object as the noise is bad enough, Cars and noise at all hours. I feel this proposal will worsen the situation.

Owner/Occupier, 2 Malvern Road' Stockton-on-Tees

23. I would like to object as we already suffer with noise from a 24 hour garage. This extra shop with an alcohol licence will worsen the situation. We already have two shops selling alcohol. There are plenty of places for the garage to move to outside the residential area.

Joan Matthews, 8 Suffolk Street' Stockton-on-Tees

24. Noise is better since the garage ceased 24 hour opening. I would not like 24 hour opening as I would be unable to use my back bedroom again.

Sherrie Hartley, 18 Suffolk Street' Stockton-on-Tees

25. Concerned about noise, especially if it is 24 hour opening.

Kevin Brighton, 16 Suffolk Street' Stockton-on-Tees

26. Concerned about noise during the night.

Mrs Colette Smith, 107 Oxbridge Lane' Stockton-on-Tees

27. Do not think the area requires another shop selling alcohol. We already have two shops. What will happen to the shops already there - will they go out of business?

PLANNING POLICY

28. 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 is the Stockton on Tees Local Plan (STLP).
29. The following planning policies are considered to be relevant to the consideration of this application:-

Policy GP1

30. Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:
- The external appearance of the development and its relationship with the surrounding area;
 - The effect on the amenities of the occupiers of nearby properties;
 - The provision of satisfactory access and parking arrangements;
 - The contribution of existing trees and landscape features;
 - The need for a high standard of landscaping;
 - The desire to reduce opportunities for crime;
 - The intention to make development as accessible as possible to everyone;
 - The quality, character and sensitivity of existing landscapes and buildings;
 - The effect upon wildlife habitats;
 - The effect upon the public rights of way network.

Policy S1 of the Alteration No 1 of the Local Plan

31. As defined on the Proposals Map, the Council will seek to direct new retail development and other town centre uses within the centres in the following local retail hierarchy of the Stockton-on-Tees Borough Council area in order to protect and enhance their vitality and viability:-
- a. Stockton-on-Tees Town Centre
 - b. The District Centres at :
 - i. Billingham
 - ii. Thornaby
 - iii. Yarm
 - c. The Local Centres at:
 - 23) Oxbridge Lane, Stockton;

Policy S21 of the Alteration No 1 of the Local Plan

32. Development of new petrol filling stations or the sale or display of motor vehicles will only be permitted where: -
- i) they are located within the defined settlement boundaries as shown on the Proposals Map;
 - ii) there will be no adverse impact on the amenity of nearby dwellings or highway safety;
 - iii) the Class A1 retail element of the petrol filling station remains ancillary to the main function of the development and that the enterprise does not undermine the vitality and viability of the retail Centres identified in Policy S1 or put at risk a nearby local shop.
- For the sale or display of motor vehicles, planning permission will be subject to a condition restricting the retail use to vehicle sales, parts and motoring accessories

For the sale or display of motor vehicles, planning permission will be subject to a condition restricting the retail use to vehicle sales, parts and motoring accessories.

33. **Planning Policy Statement 6: Planning for Town Centres**

34. **SPD3: Parking Provision for New Developments**

MATERIAL PLANNING CONSIDERATIONS

35. The main planning considerations of this application are the principle of development, impact on the character of the area and street scene, impact on the amenity of the occupants of the neighbouring properties, highway safety, landscaping and visual amenity.

Principle of Development

36. The application site is a petrol filling station with a small ancillary shop with a floor space of 64 square metres. Also located on the site is a car repair workshop and Stevenson's Car Sales with a forecourt, showroom and associated offices. The application site is located within a defined neighbourhood centre, (D23 Oxbridge Lane, Stockton) as defined in Alteration No 1 of the Stockton on Tees Local Plan.
37. The applicant proposes to redevelop the site with the provision of a larger retail area with a floor space of 280 square metres, and petrol station. The applicant has stated that petrol filling stations alone are no longer profitable and businesses need to look for other ways to supplement the income of the petrol filling station and therefore the retail element is required to make the scheme viable.
38. Policy S21 of the Alteration No 1 to the adopted Stockton on Tees Local Plan states that new petrol filling stations will only be permitted within the defined settlement boundaries, where there will be no adverse impact on the amenity of nearby dwellings or highway safety and the Class A1 retail element of the petrol filling station remains ancillary to the main function of the development and that the enterprise does not undermine the vitality and viability of the retail centres or put at risk a nearby local shop.
39. The application site is within the limits to development and the amenity of the neighbouring properties is assessed later in the report. The consideration is whether the 280 square metre retail space is considered ancillary to the petrol station and whether it will undermine the vitality and viability of the retail centre. PPS6 states that 'where the retail element is not considered to be ancillary, it should be subject to the policies set out in this statement, particularly where the development would adversely the viability and vitality of a local centre'. Objections have been received which question the need for another store in the area.
40. Retail use has previously been approved on the site, (05/3462/FUL) for three retail units with a condition restricting the maximum size of any unit to 325 square metres in gross floor area. In addition, a similar scheme for a convenience store and petrol filling station (08/0371/REV) has been approved for the site. These schemes have not been implemented, but remain valid consents and are therefore material considerations in the determination of this application.
41. It is considered that the proposed retail element of the scheme at 280 square metres is not considered to be of a scale, which would unduly compete with the role of the Stockton Town centre. The proposed convenience store may compete with the adjacent retail units in Oxbridge Lane, however taking into account the existing approval for the redevelopment of the site, the principle of a unit of this size has already been accepted in this site and

therefore the revised scheme is considered acceptable. In addition, the proposed use would also result in less retail floor space than the previously approved retail units and therefore in turn have a lesser impact.

42. In conclusion, the proposed scheme is within the limits to development and within a defined neighbourhood centre and it is therefore considered that the principle of development is acceptable.

Impact on the character of the area and street scene

43. The application site at present consists of a number of various uses, building styles and materials and overall has an aesthetically poor, cluttered appearance within the defined neighbourhood centre.
44. It is considered that the proposal would remove a number of uses, (car sales and car repairs) and also a number of buildings which are untidy in appearance, such as the flat roofed two storey/single storey sales room, the automatic car wash which is prominently located in the centre of the site and also the corrugated iron building to the rear of the site.
45. The design of the proposed development is functional. The proposed retail building has a maximum height of 4.3metres with a two storey element to a height of 6.6 metres, and it is considered given its location, set back from the front of the site and proposed dimensions it would not dominate the street scene. It is considered that the proposed redevelopment of the site will improve the appearance of the site in the street scene.
46. Overall it is considered that the proposed redevelopment of the site will not have an adverse impact on the character of the area or the street scene, and will improve the appearance of a substantially 'cluttered' site.

Impact on neighbours

47. The gardens of the residential properties in Malvern Road (11-19 (odd)) lie to the rear of the site adjacent to the northern boundary. 93 Oxbridge Lane (which is owned by the applicant) and 1-9 (odds) Malvern Road are adjacent to western boundary. To the east of the site is a post office (79/81 Oxbridge Lane) and properties in Suffolk Street, which back onto an alleyway to the eastern boundary of the site.
48. A vehicle repair garage and its associated parking share a common boundary to the rear of the site. This existing use is likely to already have detrimental impacts on the surrounding residential premises in respect to noise and air pollution. Objections have been received from some of these residents relating to visual amenity, noise and disturbance and traffic.
49. The proposed convenience store is 4.3 metres in height sloping to 3.6 metres to the rear and will be partially screened by a 2.4 metre high wall with the top 1.8 metres of the building visible. It is considered that the proposed building, which will be sited approximately 16 metres from the rear of the houses in Malvern Road (No 5 & 7) will not have an overbearing and overshadowing impact upon these neighbouring properties.
50. The properties to the north (13, 15 & 17 Malvern Road) will be approximately 12 metres from the proposed store (No 13 has a conservatory). However, the area to the rear is heavily landscaped and a 2.4 metre high acoustic wall will be erected. It is considered that the proposal will not be overbearing or cause overshadowing over and above that caused by the existing workshop unit. The two storey element will be sited approximately 3.2 metres from the boundary with 17 Malvern Road and is located away from the main dwelling. There are no windows in the proposed elevations and it is considered that due to

the positioning of the proposed unit, it will not have an overbearing effect on the occupants of this dwelling.

Noise and Disturbance - Store

51. Objections have been received relating to the hours of operation and possible noise pollution from the possible 24-hour use of the site. The current garage and shop have no restrictions and are operating 24 hours.
52. The previous application for the convenience store had a restriction on the opening hours to 06.00 - 2130hrs as it was considered that use of the premises during the hours of early morning or late evening could result in a detrimental impact to the amenity of the residents of surrounding properties when background noise levels are generally low. The applicant appealed against this condition on the approval and The planning inspector considered that the opening of the garage to 23.00 would not cause considerable harm to the living conditions of the residents nearby
53. The Environmental Health Officer requested a condition restricting the hours of delivery, however the inspector allowed deliveries within the hours of operation that are requested by the applicant in this current application. It is therefore considered that the hours of operation proposed (06.00 – 23.00, Monday to Sunday) are acceptable and in accordance with the decision of the Planning Inspectorate.

Highway Safety

54. The site falls within an area where there are existing retail uses to the eastern boundary and on the opposing side of Oxbridge Lane to the South. The proposed use will be similar in nature to these surrounding uses, attracting traffic in the same manner and through the provision of adequate parking and access; the proposed scheme should not have any detrimental impact on highway safety. As such, it is considered the proposed use should not have any detrimental impact on these properties.
55. Footways are around the retail unit for use by customers to avoid any pedestrian/vehicle conflict. The Head of Technical Services requested that an entrance/exit system be used to ensure that traffic circulates efficiently through the site, which should avoid any conflicting traffic movements and a condition has been added requesting that such a scheme be submitted for consideration.
56. Concerns have been raised over the potential increase in traffic movements, however Oxbridge Lane is a main route and it is not considered that this proposal would lead to a substantial increase in traffic in the area. Furthermore, the Head of Technical Services has no objection to the proposal in this respect.

Landscaping

57. The Head of Technical Services has viewed the proposals and considers that the proposed scheme represents improvements to the site on landscape and visual grounds, however opportunities should be sought to soften the appearance, gable end climbers are an option. A number of conditions relating to hard/soft landscaping and means of enclosure have been requested and conditioned accordingly. It must be noted however that any low level planting however should not include opportunities for seating which can cause anti social problems, in particular low walls / low rails.

Other Matters

Light Intrusion

58. The submitted plans do not show any floodlighting or external lighting, however it is considered prudent to add a condition requiring that adequate screening shall be provided to protect residential properties from any light intrusion from the development.

Sale of Alcohol

59. Many of the objections received relate to the sale of alcohol and associated anti-social behaviour from its sale.
60. The possible sale of alcohol is not a material planning consideration and is subject to a licence, with any conditions imposed and enforced by Environmental Health.

CONCLUSION

61. Overall, it is considered that the proposed development is in keeping with the area in terms of style, proportion and materials and does not involve any significant loss of privacy or amenity in terms of overshadowing, overbearing, or noise for the residents of the neighbouring properties.
62. The proposal provides retail and petrol filling facilities within the limits of development and neighbourhood centre and is therefore acceptable subject to conditions to control impacts arising from light intrusion, noise and disturbance and general noise arising from the operation of the facility which would ensure that there is no unacceptable loss of amenity for local residents.
63. The scheme would provide adequate dedicated parking and manoeuvring space within the site, and controls over ingress and egress are proposed. It is considered that these controls and the level of vehicular and pedestrian traffic and controls over their interaction would be adequate and the scheme is acceptable in access and highway safety grounds.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062

Financial Implications.

None

Environmental Implications.

As Report.

Community Safety Implications.

Not Applicable.

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.

Adopted Stockton on Tees Local Plan (June 1997)
Application 08/0371/FUL
Application 05/3462/FUL

WARD AND WARD COUNCILLORS

Ward Parkfield and Oxbridge
Ward Councillor Councillor M Javed

Ward Parkfield and Oxbridge
Ward Councillor Councillor R Rix