

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**DATE 10th JUNE 2009**

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

**08/3644/EIS**

**Land To The North Of The River Tees, To The South Of A1046 And Church Road, And East Of The Square**

**Outline planning application for residential (Class C3), employment (Class B1), health care facility (Class D1), leisure (Class A3, A4, A5, C1 and D2), ancillary retail and services (Class A1 and A2) and car dealership (sui generis) with car parking and associated landscaping and infrastructure improvements.**

**Expiry Date: 20<sup>th</sup> August 2009**

### **Summary**

This application seeks Outline Planning permission for a mixed-use development on the Northshore development site, Stockton on Tees. The application is in outline with all matters reserved for subsequent approval.

The application is to establish the principle of the development. In view of the scale of the proposal and the location of the development, an Environmental Statement (ES) has been submitted with the application together with a Planning Statement, Design and Access Statement, Statement of Community Involvement, Transport Assessment, Travel Plan Framework and Flood Risk Assessment.

The proposal is to develop the 23 hectare site for the following principal land uses, residential, business park, hotel accommodation, ancillary leisure and retail facilities, health care facility, car dealership, recreational uses with car parking and associated landscaping and infrastructure improvements as part of a comprehensive mixed use development.

The main material planning considerations of the application relate to the impact of the proposed development on the locality in terms of vehicular access and traffic impact and highway safety, flood risk, ecology and nature conservation and whether it satisfies the requirements of National and Regional Guidance and Local Plan Policies.

These matters have been considered in detail and the development as proposed is acceptable in terms of highway safety, it does not adversely impact on neighbouring properties or the ecological habitat and flooding and is considered to be in line with general planning policies set out in the Development Plan.

### **RECOMMENDATION**

***RECOMMENDED that the application 08/3644/EIS be APPROVED subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below or such other terms to be negotiated and agreed by the Head of Planning and the conditions:***

***In the event of the legal agreement having not been signed, or there still being outstanding matters on the 20 August 2009 that the application be refused.***

## ***Heads of Terms***

### **Education Contribution**

***A payment of £720 per family home shall be paid in respect of the first 300 family homes; thereafter the payment per family home shall be £2080.***

***A “family home” shall be defined as per SBC’s SPD 6: planning obligations - all dwellings (except flats) of 2 bedrooms or more and all flats of 3 bedrooms or more (excluding sheltered housing, student accommodation, care homes, studio flats and residential homes for the elderly)***

***Education Contribution to be paid on a phased basis – upon substantial completion of every 50<sup>th</sup> dwelling.***

### **Affordable Housing**

***8% of the residential units shall be affordable and provided in the form of shared equity, shared ownership, social rented or such other means of affordable housing as defined by the Housing Corporation and agreed with the local planning authority.***

***The obligation shall apply to initial and successive owners of the affordable housing units.***

***A scheme for the provision of affordable housing shall be submitted to the LPA as part of the application for Reserved Matters and shall be implemented in accordance with the agreed scheme. The scheme shall include:-***

- i) The delineation of the area or areas of the site upon which the affordable dwellings will be constructed;***
- ii) The type and size of affordable dwellings to be provided;***
- iii) The arrangements the developer shall make to ensure that such provision is affordable for both initial and successive occupiers;***
- iv) The phasing of the affordable housing provision in relation to the provision of open market housing on the site;***
- v) Occupancy criteria and nomination rights in relation to identified housing need.***

### **Open Space**

***Details of the siting, size and nature of the public open space (POS) to be provided on each phase of the development shall be submitted for the prior approval of the LPA with the Reserved Matters application for that phase. The land to form the POS must be included in the red line boundary of the reserved matters application. The POS shall include the area known as the mound unless otherwise agreed with the Council. Unless otherwise agreed with the LPA the mound shall be included in the reserved matters application for the Home Zone.***

***Prior to the commencement of the construction of the 151<sup>st</sup> dwelling details of the layout, specification of equipment, phasing arrangements for the completion and arrangements for future maintenance of the POS shall be submitted to and approved by the LPA. The POS shall be completed in accordance with the approved scheme and completed in accordance with the timescale contained in the approved scheme or 3 years from the granting of the reserved matters approval for that phase whichever is the earlier.***

**The POS shall include provision of on-site play space for 4-8 year olds and 8-13 year olds. For the avoidance of doubt areas of public realm and SUDS schemes (with the exception of the mound) shall not be acceptable as forming part of the site available for this type of play space. The play space shall be designed in accordance with the Stockton-on-Tees Borough Council Standards relevant at the time of commencing design works.**

**Should a scheme for the POS not include the mound (or such other land on-site to provide sufficient surface area and facilities for play, to the satisfaction of the LPA for 8-13 year olds) a payment of £100,000 shall be paid to the Council towards the provision of off-site play facilities in the vicinity of the site.**

**Should the Council agree to take title transfer of the POS, or any part of it, a commuted lump sum shall be payable for the maintenance of the POS calculated in accordance with the formula contained in Appendix E of the SBC SPD 6: Planning Obligations (or such replacement formula as may supersede it) where applicable.**

**Any elements within the POS which require maintenance by the Council as a result of title transfer and are not contained on Appendix E, including SUDS schemes and public realm, shall be subject to an additional commuted lump sum to be determined by the Council.**

**The payment of the commuted lump sum to be in accordance with a programme of phased payments agreed by the LPA and included in the approved scheme for POS submitted as above.**

**The Owner is not obliged to offer to transfer and the Council is not obliged to accept transfer of the POS and in the event that the Council will not takeover responsibility for the POS a scheme for the future maintenance of the POS shall be approved by the LPA and submitted with the reserved matters application (as above).**

**Any title transfer to the Council of the POS will include all necessary indemnity or other agreements deemed necessary in relation to, for example, any contamination of the site.**

### **Employment and Training**

**30% of jobs on the development to be made available to residents of the target areas and 30% of total net value of the services and materials used in the development are to be provided by businesses within the target areas (as per schedule 13 of the Development Agreement). The Owner/Developer shall be obliged to include the employment provisions in a Project Execution Plan which shall be provided to each and every contractor and sub-contractor.**

### **Highways**

**The Framework Travel Plan: Northshore Development Partnership Muse / Urban Splash as submitted to the LPA as part of the application for Reserved Matters shall be implemented in accordance with the Planning Approval. The Owner / Developer shall be obliged to include the following payments required as part of the Travel Plan or as mitigation measures required as part of the Transport Assessment.**

- 1 Payment of £200,000\* for enhancements to the bus services by diverting services through the site – to be paid in accordance with the terms of the Framework Travel Plan.**
- 2 Payment of £90,000\* towards improvements to bus stop facilities on Portrack Lane**

and North Shore Spine Road – payable prior to 10% of occupants being on site. This will be based on actual numbers where known or equated to a gross floor area using an average of 1 person per 20m<sup>2</sup> for commercial development and 2.5 persons per dwelling. Full occupation for this purpose will be based upon the completed development as assessed in the Transport Assessment.

3. **Payment of £40,000\* towards off site improvements to the Riverside Roundabout A1130 – payable on acceptance of the Tender for the works.**
4. **Payment of £54,000\*\* to meet the costs of the widening of the northbound approach to the Church Road/Maritime Road traffic signal junction - such costs shall be the total costs of the widening works and the Owner will be obliged to enter into a s278 agreement for these works - payable prior to 10% of occupants being on site. This will be based on actual numbers where known or equated to a gross floor area using an average of 1 person per 20m<sup>2</sup> for commercial development and 2.5 persons per dwelling. Full occupation for this purpose will be based upon the completed development as assessed in the Transport Assessment.**
5. **Payment of £21,000\* for the installation by the Council of Automatic Traffic Counters (ATC's) for monitoring vehicle trip levels from and to the development – payable on the occupation of first building.**
6. **Payment of £15,000\* for the monitoring of the ATC's and the North Shore Trip Levels by the Council bi-annually for a period of 15 years. To be paid upon commissioning of the ATC's by the Council. The council will continue to monitor these locations after this period.**
7. **Should the vehicle trip rate exceed any of the individual trip rates shown in the table below the Owner shall be obliged to meet the costs of the signalisation by the Council of the North Shore Spine Road (estimated at £158,000\*\*) and Dugdale Street (estimated at £126,000\*\*) - such costs shall be the total costs of the signalisation and the Owner will be obliged to enter into a s278 agreement for these works.**

<b>AM Peak</b>		<b>PM Peak</b>	
<b>Arrivals</b>	<b>Departures</b>	<b>Arrivals</b>	<b>Departures</b>
<b>1331</b>	<b>617</b>	<b>396</b>	<b>742</b>
<b>Total AM</b>		<b>Total PM</b>	
<b>1948</b>		<b>1138</b>	

8. **Payment of a commuted lump sum, to be calculated in accordance with the formula set out in Appendix F of the SBC SPD 6: Planning Obligations (or such replacement formula as may supersede it), for the maintenance of trees, street furniture and soft landscaping in the adopted highway. The scheme for trees, street furniture and soft landscaping is to be submitted to the LPA with each submission of Reserved Matters and shall be agreed with the local planning authority prior to commencement of development of each phase, the commuted lump sum to be payable prior to the Council adopting the highway or as otherwise agreed in writing with the Council. The Council will not be obliged to maintain such features until payment is made and the Owner shall remain responsible for replacing damaged, dying or removed features until payment is made.**

***In the event that the scheme for trees, street furniture and soft landscaping is not to be adopted but the Council the scheme for its maintenance shall be submitted to the Council for approval with the application for reserved matters.***

***\* Estimated costs are given at today's rates.***

***\*\* Estimated costs are given at today's rates and exclude any land assembly costs or works associated with Statutory Utility diversions, in particular the removal of the existing Electricity Substation located on Dugdale Street.***

**Conditions:**

***1. Applications for reserved matters shall be made to the Local Planning Authority before the expiry of twelve years from the date of the permission and the development of the last phase shall be begun before the expiration of two years from the date of approval of the final reserved matter.***

***Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission.***

***2. The development hereby approved shall be implemented in broad accordance with the Phasing programme provided within the North Shore Design and Access Statement (Revision 04, 9 June 2008) or any other phasing programme agreed in writing with the Local Planning Authority.***

***Reason: To ensure a satisfactory form of development.***

***3. Approval of the details of the access, appearance, layout and scale of the buildings and landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority before that Phase of development is commenced.***

***Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.***

***4. The development hereby permitted shall be implemented in broad accordance with Section 8.0 of the Design and Access Statement (Revision 04, 9 June 2008), unless otherwise agreed in writing by the Local Planning Authority.***

***Reason: To ensure a satisfactory form of development.***

***5. The total development hereby approved shall not exceed 166,624sqm of gross internal floor area and 3,500 car parking spaces. Within the 166,624sqm, the amount of gross floor space for individual uses shall not exceed the following maxima:***

- Residential = 999 units***
- Commercial = 108,336sqm (comprising Class A1, A2, A3, A4, A5, B1, Hotel (C1), car dealership (sui generis) and Health Centre (D1) as defined in the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, including the Town and Country Planning (Use Classes Amendment) (England) Order 2005))***
- Watersports Centre and Marine Club (Class D2) = 2,315sqm***

**Reason: In order to define the consent to control the total amount of floorspace within the development and in the interests of highway safety.**

**6. Each application for reserved matters shall be accompanied by a schedule providing details of the amount of floorspace for each use included within the reserved matters application.**

**Reason: In order to define the consent.**

**7. In accordance with the “Quantum of Development” condition 5, the total amount of employment, retail, leisure, hotel, health care and car dealership floorspaces shall not exceed 108,336sqm of gross internal area (GIA) cumulatively. However, individual uses shall not exceed the following maxima, up to a total of 108,336sqm, unless otherwise agreed in writing with the Local Planning Authority:**

- **Employment (Class B1) = 85,757sqm (GIA)**
- **Retail and Leisure (Class A1, A2, A3, A4 and A5) = 8,050sqm (GIA)**
- **Hotel (Class C1) = 12,600sqm (GIA)**
- **Health care (Class D1) = 8,000sqm (GIA)**
- **Car dealership (sui generis) = 1,929sqm (GIA)**

**Reason: In order to control the amount of floorspace and in the interests of highway safety.**

**8. The gross external floor area to be used for the sale of convenience and comparison retail goods within Class A1 shall not exceed 2,450 sqm.**

**Reason: In order to control the amount of retail floorspace in the interest of the vitality and viability of existing centres.**

**9. Within the retail floorspace hereby permitted, no individual convenience retail unit shall exceed 1,100 sqm gross internal floor area.**

**Reason: In order to control the scale of convenience retail floorspace in the interests of the vitality and viability of existing centres.**

**10. With the exception of the conveniences store, no unit within Class A1 (shops), Class A2 (financial and professional services) or Class A5 (hot food take-aways) shall exceed 400 sqm gross internal floor area.**

**Reason: In order to control the amount of retail floorspace in the interests of the vitality and viability of existing centres.**

**11. The combined gross internal floor area of uses within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class A4 (drinking establishments), Class A5 (hot food takeaways) and Class D2 (assembly and leisure) shall be in general accordance with the schedule on page 167 of the Design and Access Statement (Revision 04, June 2008) unless otherwise agreed in writing with the LPA.**

**Reason: In order to control the amount of retail floorspace.**

**12. No more than 999 residential units shall be provided. Across the overall development, the housing mix should comprise up to the following maximum, unless otherwise agreed in writing with the local planning authority:**

- **Two and three storey houses – up to 350 units**
- **1 bed apartments / studios – up to 300 units**
- **2 bed apartments / maisonettes- up to 599 units**
- **3 bed apartments / maisonettes – up to 100 units**

**Reason: To ensure local housing needs are met.**

**13. The development must obtain at least a very good BREEAM rating for the commercial development and Building Research Establishment ECO Homes Standard of very good for any part of the development which is to be used for residential purposes, unless otherwise agreed in writing with the Local Planning Authority or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters.**

**Reason: In order to minimise energy consumption.**

**14. The development shall secure at least 10% of its energy supply from renewable energy or low carbon sources, unless otherwise agreed in writing by the Local Planning Authority. No development shall take place within any phase until an energy strategy has been submitted to and agreed in writing by the Local Planning Authority for that phase which includes details of how that phase will contribute towards achieving the 10% requirement for the whole development. Thereafter the agreed scheme shall be implemented in complete accordance with the details of the scheme unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To ensure a sustainable form of development which secures energy from renewable sources.**

**15. No construction works shall take place on the external surfaces of any building(s) within any Phase until the materials to be used on external surfaces for that building(s) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.**

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

**16. No development shall take place within any Phase until details of the means of boundary treatment for that Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

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

**17. Prior to first occupation within any Phase, a scheme for the provision of street furniture for that Phase, including timescale for delivery, should be submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.**

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

**18. No development shall take place within any Phase until details of the means and location for the storage and disposal of refuse for each unit within that Phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the**

***scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.***

***Reason: In the interests of visual amenity and operational requirements of the Local Planning Authority.***

***19. No development shall take place within each Phase until the details of the service roads, means of vehicular access to each building, footpath and cycle routes and any highway works, including any off-site highway works as may be required within that Phase, together with a phasing strategy for the implementation of these works, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.***

***Reason: To ensure a satisfactory form of development and in the interests of highway safety.***

***20. No development shall commence within each Phase until a car parking scheme for that Phase, including temporary parking for use during the construction period, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.***

***Reason: To ensure a satisfactory form of development.***

***21. No development shall commence within each Phase until a cycle parking scheme for that Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.***

***Reason: To ensure a satisfactory form of development.***

***22. Garages on drive lengths less than 6 meters in length shall be fitted with roller shutter garage doors or such other solution as agreed in writing by the Local Planning Authority.***

***Reason: In the interests of highway safety.***

***23. A Road Safety Audit should be submitted to and agreed in writing by the Local Planning Authority with each application for reserved matters. The findings of the report should be implemented as approved, unless otherwise agreed in writing with the Local Planning Authority.***

***Reason: In the interests of highway safety***

***24. No development shall commence within each Phase until a detailed scheme for landscaping and tree and/or shrub planting and grass for that Phase has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specify stock types, stock sizes and species, planting densities, layout contouring, drainage and surfacing of all open space areas. The works shall be completed in accordance with a phasing scheme to be agreed in writing with the Local Planning Authority. Should any trees or plants, excluding those within privately owned domestic gardens, within a period of five years from the date of planting die, be removed, become seriously damaged or diseased, these shall be replaced in the next planting season with others of a similar prior attained size and species unless the Local Planning Authority gives written consent to any variation.***



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

**25. No development shall be occupied within each Phase until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape and public realm areas, other than privately owned domestic gardens, for that Phase has been submitted to and approved by the Local Planning Authority. Soft landscape maintenance shall be detailed for the initial 5 year establishment period. A long-term management plan for all landscape and public realm areas for a period of 20 years should be submitted to and approved in writing with the Local Planning Authority. The landscape management plan shall be carried out as approved, unless the Local Planning Authority gives written consent to any variation.**

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

**26. All trees on site and within 10m of its external boundary shall be indicated on a Site Survey Plan. These trees shall be assessed in accordance with BS5837:2005 Trees in Relation to Construction. The assessment should concur with the latest site plans and include for the following information:**

- a) A plan to scale and level of accuracy appropriate to the proposal showing the position of every tree on and adjacent to the site with a stem diameter over the bark measured at 1.5 metres above ground level at 75mm.**
- b) A tree schedule as detailed in Ref. 4.2.6 BS5837:2005;**
- c) A schedule of all tree works specifying those to be removed, pruning and other remedial or preventative work.**
- d) Details of any ground level changes or excavations within 5 metres of the Root Protection Area (Para 5.2.2. of BS5837) of any tree to be retained including those on adjacent land.**
- e) A statement setting out long-term future of the trees in terms of aesthetic quality and including post development pressure.**

**Reason: To assess the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained**

**27. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective within a period of five years from the date of planting must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.**

**Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.**

**28. No development shall commence within any Phase until a scheme for the protection of trees (Section 7, BS 5837:2005) either within or within 10m of the site boundary to that Phase has been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection). Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment,**

**machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.**

**Reason: To protect the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality which should be appropriately maintained and protected.**

**29. No development shall commence within each Phase until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space within that Phase by the developer, as part of the development, and such arrangements shall address and contain the following matters:**

- a) The siting of the proposed Public Open Space**
- b) The type and nature of any facilities to be provided within the Public Open Space**
- c) The phasing arrangements for completing the public open space**
- d) Timescales for agreeing the arrangements the developer shall make for the future maintenance of the Public Open Space**

**The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed under part C) above, unless otherwise agreed in writing with the Local Planning Authority.**

**Reason: To enable the Local Planning Authority to satisfactorily control the development**

**30. Prior to the commencement of each Phase of development, a scheme for the provision and management of a 10m buffer zone alongside the watercourse (out with of the proposed marina) for that Phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The scheme shall include:**

**plans showing the extent and layout of the buffer zone**  
**details of the planting scheme (for example, native species)**  
**details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term**  
**details demonstrating how the buffer zone will be protected during development and manage/maintained over the longer term**  
**details of any management of invasive species such as Himalayan balsam, giant hogweed and Japanese knotweed**  
**Details of any footpaths, fencing, lighting and any other street works.**

**Reasons: Development that encroaches on watercourse has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside watercourse is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change. Otters are known to use areas both upstream and downstream of this site and the River Tees is a designated wildlife corridor.**

**31. Notwithstanding the submitted information details of the proposed boundary treatment to the River Tees for the Marina shall be submitted to and approved in writing by the Local**

**Planning Authority prior to commencement of the Marina. These works shall be completed in accordance with the approved scheme.**

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

**32. No development shall take place within each phase unless in broad accordance with the mitigation detailed within section 4 of the External Building Bat Survey (May 2007), section 4 of the Internal Building and Evening Emergence Bat Survey (June 2007) and section 5.2 of the Stockton North Shore Breeding Bird Survey (July 2007) which are contained within the appendices of the Northshore Environmental Statement (February 2009 Revision 01), together with the mitigation specified within the letter dated 5 May 2009 from Buro Happold to Stockton Borough Council, including but not restricted to adherence to timing restrictions.**

**Reason: To ensure the protection of protected species**

**33. No development shall take place within each Phase until details of the existing and proposed site levels within that Phase have been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In order to control the level at which the development takes place to protect the visual and residential amenity of the area**

**34. A supplementary flood risk assessment, taking the proposed works into account, shall be submitted to, and approved in writing by the Local Planning Authority prior to the submission of any reserved matters application encompassing areas of the site within 50m of the River Tees. These documents shall be prepared in accordance with the latest national guidance and the latest available information on flood risk and climate change. The assessment should also address the following aspects:**

- 1. Ensure finished floor levels for residential development are set no lower than 5.38m above Ordnance Datum (AOD). Proposed finished floor levels for all development within and adjacent to the flood zones will also be submitted.**
- 2. All proposed development within flood zones include appropriate flood protection measures and a flood warning system.**
- 3. All proposed development within flood zones are provided with safe dry routes into and out of the site to an appropriate safe haven.**

**Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that existing flood capacity and flow routes are maintained.**

**35. Development shall not begin within each Phase until a surface water drainage scheme for that Phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include a timetable for implementation and shall demonstrate that there will be no increase in surface water run off for the design life of the site. The scheme shall be implemented in accordance with the approved details and timetable unless otherwise agreed in writing with the Local Planning Authority. The scheme shall also include details of how the scheme shall be maintained and managed after completion.**

***Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.***

***36. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.***

***Reason: SUDS may introduce increased infiltration of surface water in areas which may lead to contamination of the River Tees and the Sherwood Sandstone principal aquifer.***

***37. No phase of the development hereby permitted shall be commenced until such time as a scheme to dispose of foul drainage and of contaminated surface water run-off for that Phase has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved, unless otherwise agreed in writing by the Local Planning Authority.***

***Reason: To ensure no contamination to the water environment.***

***38. Surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor. Roof water shall not pass through the interceptor.***

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

***39. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.***

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

***40. No development shall take place within any Phase until a scheme for disposal of sewage has been submitted to and approved in writing by the Local Planning Authority. No development within any Phase shall be occupied until the approved works for sewage disposal has been provided to serve that Phase of development.***

***Reason: To ensure a satisfactory means of disposing of sewage***

***41. No development shall take place within Site 51 (former Northshore Shipyard) and Site 3 (former Northshore Pottery) as identified on Figure 10-2 of the Northshore Environmental Statement (February 2009 - revision 01) until the applicant, or their agents or successors in title, has completed the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority. Should nationally important archaeological remains exist, there should be a presumption for their preservation in situ, unless otherwise agreed by the Local Planning Authority.***

***Reason: In the interests of the preservation of any archaeological remains.***

***42. No development shall commence within any Phase until a scheme of lighting for that Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall take place in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.***

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

**43. No development shall take place within any Phase unless in broad accordance with the mitigation detailed within section 12.7 of the noise and vibration section of the Northshore Environmental Statement (February 2009 Revision 01) including during the construction process unless otherwise agreed in writing with the Local planning Authority.**

**Reason: To protect the amenities of residents.**

**44. Prior to the commencement of each Phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of that Phase has been submitted to and approved, in writing, by the local planning authority:**

**1) A preliminary risk assessment which has identified:  
all previous uses**

**potential contaminants associated with those uses**

**a conceptual model of the site indicating sources, pathways and receptors**

**potentially unacceptable risks arising from contamination at the site.**

**2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**

**3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**

**4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

**Any changes to these components will require the express consent of the Local Planning Authority. The scheme shall be implemented as approved, unless otherwise agreed in writing by the Local Planning Authority. .**

**Reason: The site has been subject to previous contaminative uses that may impact on the River Tees and/or the Sherwood Sandstone principal aquifer**

**45. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.**

**Reason: Unsuspected contamination may be discovered during development that could impact controlled water receptors (i.e. the River Tees and the Sherwood Sandstone principal aquifer).**

**46. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.**

**Reason: Piling may introduce pathways to groundwater within the Sherwood Sandstone principal aquifer.**

**47. Construction work and deliveries associated with the proposal shall only take place between the hours of 7am to 7pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.**

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

**48. No development shall commence until a construction environmental management plan, including a dust management plan, for that phase has been submitted to and approved in writing by the Local Planning Authority including details of earth moving activities, control and treatment of stock piles, parking for use during construction and wheel washing facilities. Thereafter, the construction environmental management plan should be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.**

**Reason: To ensure a satisfactory form of development.**

**49. No development shall commence within any phase until a site waste management plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The site waste management plan shall be prepared in broad accordance with the mitigation detailed within section 13.6 and 13.7 of the waste chapter of the Northshore Environmental Statement (February 2009 Revision 01). Thereafter, the site waste management plan should be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.**

**Reason: To ensure a sustainable development.**

**50. The scheme of public art shall be implemented in broad accordance with the Public Art Strategy contained within Section 5.7 of the Design and Access Statement, unless otherwise agreed in writing by the Local Planning Authority.**

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

**51. No works shall take place in connection with the demolition of the River Tees Watersports Centre until the new replacement facility has been completed and is ready for operation, unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To ensure a satisfactory form of development which provides facilities for the River Tees Watersports Centre.**

**52. Notwithstanding the provisions of classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), no dwellinghouse hereby approved shall be extended or structurally altered in any way, including the installation of micro generation equipment, nor shall any ancillary buildings be erected within the curtilage without the written approval of the Local Planning Authority or unless the extensions or alterations accord with a Design Code that is agreed with the Local Planning Authority as part of any reserved matters planning application for the appearance of the dwellinghouses.**

**Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based.**

**53. Notwithstanding the provisions of classes A, B, C, D, E, F and G of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no commercial unit hereby approved shall change to another use without the written approval of the Local Planning Authority.**

**Reason: To control the development, in the interests of highway safety.**

**54. The development hereby approved shall implement and monitor the Travel Plan prepared by RPS Issue 3 (dated 20/05/09).**

**Reason: In the interests of reducing the traffic impact on the Strategic Road Network.**

## **INFORMATIVE**

### **Retained Trees Prohibited Works**

**The following works are not allowed under any circumstances:**

- No work shall commence until the approved Tree Protection Barriers are erected.**
- No equipment, signage, structures, barriers, materials, components, vehicles or machinery shall be attached to or supported by a retained tree.**
- No fires shall be lit or allowed to burn within 10 metres of the canopy spread of a tree of within the Root Protection Zone.**
- No materials shall be stored or machinery or vehicles parked within the Root Protection Zone.**
- No mixing of cement or use of other materials or substances shall take place within the Root Protection Zone or within such proximity where seepage or displacement of those materials or substances could cause them to enter the Root Protection Zone.**
- No unauthorised trenches shall be dug within the Root Protection Zone.**
- No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.**

### **British Waterways**

**The applicant/developer is advised to contact third party works engineer, Ken Fowler from British Waterways (0113 281 6875) in relation to works affecting the river.**

**The proposal has been considered against the policies below and it is considered that having considered the Environmental Impact Assessment information and the proposed mitigation measures there are no material considerations that indicate a decision should be otherwise.**

**Policies GP1, ED4, EN17, HO3, HO8, HO11, IN10, REC11, REC17h, REC20, REC18b, S13, S15, of the adopted Stockton on Tees Local Plan.**

## **BACKGROUND**

1. Two linked applications submitted by English Partnerships relating to the reclamation and future development of the North Bank area of the Tees opposite the Teesdale area and located between the Princess Diana Bridge and the David Lloyd Tennis Centre were approved in June 2002. The two applications were:

- Application 01/1790/P – outline application for mixed use development comprising of research park/offices (B1), café/pub/restaurant, residential, car showroom and associated roads, footpaths, cycleways, landscaping and riverside promenade;
- Application 01/1760/P – reclamation and infrastructure works to allow implementation of the north bank scheme. The application incorporated and built upon the previous permission (99/1716/P) approved 10 December 1999 for the proposed site roads including a pedestrian bridge over the River Tees linking the site to Teesdale adjacent to the University.

2. The lead on the development moved to Tees Valley Regeneration in association with English Partnerships (the primary land owner and original applicant), One North East and Stockton on Tees Borough Council. A revised Master Plan was produced following an extensive re-appraisal of the original plan and agreed by the Planning Committee in February 2005. The “Benoy “ Masterplan changed the focus of the plan from mainly office B1 development to increase the mix of development with more housing and seeking to make better use of the waterfront location and links to the Town Centre. The name of the site also changed to “North Shore” to reflect its name in the 19<sup>th</sup> Century. The new North Shore Master Plan also extended the area to include land in the town centre on Church Road and known as the Eastern Gateway site.

3. An application for planning permission under Section 73 of the Town & Country Planning Act 1990, to vary the original outline application (01/1790/P) to allow an additional three years for the submission of detailed plans was granted on 22nd August 2006. The period allowed for the submission of reserved matters relating to that outline was thereby extended to August 2008.

4. The Benoy Masterplan included areas of land that fell outside the boundary of the outline planning application, namely the Eastern Gateway site and 4 terraced houses at 111-117 Church Road. Accordingly, to ensure a comprehensive development an outline application (06/1956/OUT) was submitted in June 2006 for a mixed use development on the Eastern Gateway site and a multi-storey car park on the site on Church Road.

5. Planning permission was granted in June 2006 for the erection of a footbridge, providing a link over the River Tees between Northshore and Teesdale and the University of Durham’s Queens Campus (06/0670/FUL).

## **SITE AND SURROUNDINGS**

6. The Northshore development site is approximately 23.1 hectares in size and lies on the north bank of the River Tees. The majority of the site is a cleared former steel works and is bounded by the River Tees to the south. Along the northern edge of the site boundary are a number of industrial businesses and offices and a car dealership. The Baptist Tabernacle is located outwith the site boundary to the west. Morrison’s distribution centre and David Lloyd lie outside the site boundary to the northeast and east respectively. The eastern approach to the site is via Portrack Lane which forms the main link from the A19 and Middlesbrough.

7. On the opposite riverbank are the University of Durham’s Queens Campus and the Teesdale Business Park. The Tees River Users Trust and Castlegate Marine Club are both based within the Northshore site boundary and use the river for a range of water sports. Further water sport facilities, including white water rafting, are provided down the river to the east at the Tees Barrage. The riverside edge is active with anglers, walkers and cyclists. A site location plan is attached at Appendix 1.

## **THE PROPOSAL**



8. This application seeks Outline planning permission for the site (with all matters reserved for subsequent approval) for the following principal land uses, residential, business park, hotel accommodation, ancillary leisure and retail facilities, health care facility, car dealership, recreational uses with car parking and associated landscaping and infrastructure improvements as part of a comprehensive mixed use development.

9. The development is intended to be an extension of the existing Stockton Town Centre eastwards, creating a link between the Town Centre and the River Tees. The proposal includes office development, residential units, hotel, various leisure and riverfront uses including cafés, a car showroom and garage, some supporting retail use along with new roads and landscaping. The development will be accessed from the new gyratory road system proposed, and some amendments to this have been included in the proposal. A new footbridge (which is not part of this Northshore planning application) across the River Tees, named the Infinity Bridge has recently been opened and provides a link from Northshore to Teesdale.

10. The proposal at this stage does not set out a detailed design solution for the site as the application is in outline with all matters reserved for future consideration. However, in order to address the Local Planning Authority's concerns on the potential form and quality of the development, the Design and Access Statement provides a planning and design framework for development on the site. It is not intended as a prescriptive document but sets out a number of urban design principles that future developers would be expected to meet.

11. The Design and Access statement has divided the site into character zones to reflect their function and characteristics. A summary of each zone follows and an illustrative masterplan is shown in Appendix 2 and artist's impression in Appendix 3.

- Gateway – located between the core development areas and the High Street, this Zone provides an important linkage to the town centre to the west. This Zone is bounded by Church Road to the north, The Square and the Tabernacle to the west, Bishop Street to the south and the new one way gyratory to the east.
- Link – provides an important connection between the Gateway, Heart and Riverside zones. This Zone is surrounded by the one way gyratory with the Gateway zone lying beyond to the west, the Riverside zone to the south and south east and the Heart zone to the east.
- Heart – situated between the poor quality environment along Portrack Lane to the north and the Boulevard to the south, this zone has an urban layout and character.
- Riverside – lying at the centre of Northshore along the northern edge of the River Tees, this zone benefits from riverside views. This zone is bounded by the Heart and Link zones to the north and the Campus zone to the east.
- Campus – provides an important extension to the University of Durham Queens Campus, which is located to the south of the River Tees. Development within this zone is excluded from the current outline planning application. It will be progressed separately by the University.
- Home – provides a zone of contemporary family housing to assist in the delivery of a sustainable and balanced community at Northshore. This zone is located at the eastern edge of core area on the northern edge of the river, with the Campus zone lying to the west, David Lloyd to the east and industrial units to the north.

## Proposed Land Uses

### Residential

12. Provision of up to a maximum of 999 contemporary new homes to deliver one, two and three bedroom apartments, together with two, three, four and possibly five bed family housing. The apartments are provided within Gateway, Heart and Riverside Zones, whilst the Home Zone will provide the family housing.

13. Provision of 8% affordable units, comprising a mix of shared equity, shared ownership and affordable units for rent.

14. The range of dwelling sizes and types, together with affordable units, will cater for a range of market requirements and will create a balanced, mixed and sustainable community at Northshore.

### Employment Uses

15. Business Park - provision of Class B1 Business Park throughout the Gateway, Link, Heart and Riverside Zones comprising up to a maximum of 85,757sqm of floorspace.

16. Hotel accommodation - one or two hotels. A three "plus" / four-star hotel will be provided within the Gateway Zone, with a potential second hotel being provided within the Riverside Zone.

17. Ancillary leisure and retail facilities - provision of cafes, restaurants and bars, together with some ancillary shops and service uses, up to a maximum of 8,050sqm. Such uses will be concentrated within the Gateway, Heart and Riverside Zones, with a particular focus along the waters edge to attract activity to the prime waterfront setting.

18. Health care facility – it is uncertain whether this 8,000sqm facility will be delivered, however, the North Shore Development Partnership (NSDP) wish for its provision to be included within the outline application. Should this scheme not be delivered additional Class B1 employment uses will be provided, but not to exceed the total B1 employment floorspace cap of 85,757sqm; and

19. Car dealership - Simon Bailes Peugeot Dealership is an existing use within the Link Zone. The site of this dealership is to be redeveloped. As part of this application, planning permission is being sought for its relocation within the site.

### Recreational Uses

20. The River Tees Water Sports Centre (RTWC) and Castlegate Marine Club (CMC) are existing uses within the Riverside Zone. Provision is being made within the development for 2, 265sqm and 50sqm for these uses respectively.

### Public Realm, Open Spaces and Landscaping

21. The creation of open space and public realm, providing informal recreational opportunities. New civic scale spaces contrasting with smaller more intimate squares and courtyards; Green Ribbon extending from Princess Diana Bridge to the new landmark footbridge linking to the nature reserve and open spaces to the east, such as Portrack Marshes; New linear riverside area, approximately 1km long, incorporating distinctive new open spaces by the river; Water playground comprising a high quality series of public spaces along the river edge with different characters and activities; Series of terraces and sculptural landforms to enable people to access the river's edge; Marina and floating pontoons to waters edge; Carefully located activity nodes to encourage pedestrian movement through and beyond the site; New wildlife habitats to diversify and enhance local wildlife; Dedicated play areas with play equipment for children; and 1.1km fitness loop providing a circular route within the Riverside Zone.

### Art Strategy

22. Unique public arts scheme to be central to the development to deliver a fun and creative environment, which delivers a unique and distinctive place which will promote a positive image of Northshore and Stockton.

### Infrastructure

23. Extension and strengthening of existing routes from Town Centre along riverside and over the new footbridge to Teesdale and the University of Durham's Campus;

24. Down playing of highway adjacent to Gateway Square to north of Princess Diana Bridge to slow traffic and provide enhanced pedestrian crossing facilities. This will strengthen the link between the core Northshore development and Stockton Town Centre; Network of safe and legible pedestrian and cycle routes connecting to new public spaces throughout the development and linking to the wider area; Creation of a tree lined boulevard providing an east to west connection through the centre of the site; and introduction of new strategic and local bus routes through the site with all homes located within close proximity to a bus stop.

### Car Parking

25. Maximum of 3,500 car parking spaces, including undercroft, basement, at grade and multi storey parking; and innovative car parking solutions to ensure a sensitive integration into the built form.

### Sustainability

26. Energy Strategy incorporating measures to reduce energy consumption and use energy more efficiently including a River Water Strategy which uses river water energy for heating and cooling of buildings and to feed reverse cycle heat pumps to provide both heating and cooling; and provision of Sustainable Urban Drainage system.

## **THE ENVIRONMENTAL IMPACT ASSESSMENT**

27. An Environmental Impact Assessment (EIA) has been prepared on behalf of the applicant to accompany the outline application. The Environmental Statement has regard to the following environmental considerations to identify and the means by which significant adverse effects will be remedied. The findings of the ES are summarised as follows:

### Predicted impacts and mitigation

#### Ecology

28. The majority of Northshore is currently dominated by recently disturbed ground, which short perennial plants have colonised. There are large areas of bare ground, some patches of woodland and scrub, and small areas of other habitat types scattered around the site.

None of the habitats currently present are of high ecological value, but the short perennial plants, the broad-leaved woodland and the River Tees are all important habitats within the context of Stockton-on-Tees. The River Tees could be of greater ecological significance, but the artificial banks and low numbers of important species within the river currently limit its value as a habitat. Northshore is strategically located as a link between local habitats, for example between local nature reserves such as Portrack Marsh and other 'green' spaces within the wider Stockton-on-Tees area. The River Tees forms a regionally important wildlife corridor along the southern boundary of the site.

29. A number of bird species have been recorded nesting or using the site, the most notable being Skylarks, of which two pairs, are estimated to be breeding within the site. No other notable species have been recorded, but Otters are known to use other sites on the River Tees and three buildings due for demolition have some potential to support bats, although none were found. During construction, there is some potential for disturbance or pollution of the river. A 'construction environmental management plan' which promotes construction best practice will be implemented, which will minimise construction impacts on the river to an extent that they will not be significant.

It is intended to use river water to cool buildings at Northshore. This has the potential to affect fish or other river species, for example by sucking them into the system or by causing a rise in temperature that prevents fish from travelling along the river. To ensure that there are no significant impacts on the river, advice will be taken from the Environment Agency and best practice guidance followed.

30. The clearance of the site prior to construction will remove most of the existing habitats present; however substantial new landscaping will replace or compensate for the lost habitats. The new landscaping will include wetland areas, 'green roofs' and tree planting, and will ecologically enhance the site, filling an important gap in the habitat networks.

To prevent accidental harm to nesting birds, vegetation clearance will take place outside nesting season where possible, or be supervised by an ecologist. It is likely that the two pairs of Skylark thought to be breeding at Northshore will be displaced by the development of the site, as the habitat they are using will be lost. This will only be a minor impact as the skylarks will be able to move to alternative sites, for example the nearby Maze Park nature reserve.

31. When buildings are demolished, any features with the potential to support bats will be removed carefully and in the presence of an ecologist to prevent any accidental harm to bats. Lighting will be minimised along the river and some of the new routes across the site to minimise disruption to bats. Low-level lighting along the river will also help prevent Otters from being discouraged back to the site as the riverbanks become more natural.

Overall, the development of Northshore will result in ecological enhancement, with improvements to the terrestrial habitat network and the wildlife corridor function of the River Tees, a greater diversity of habitats within the site and therefore greater biodiversity.

### Traffic and transport

32. A transport assessment and travel plan have been submitted as part of the planning application for Northshore, as separate documents to the Environmental Statement. The traffic and transport chapter within the Environmental Statement summarises the transport assessment and travel plan.

33. The Northshore site is well located to integrate and enhance existing transport networks for pedestrians, cyclists and public transport. It fits well with current transport policy as its location and proposed infrastructure, and the intended implementation of a 'travel plan' all encourage the use of alternatives to the car.

The potential environmental effects of traffic from the development are: air quality; noise and vibration; visual impacts; delay to drivers, pedestrians or cyclists; and accidents and safety.

The increase in traffic during the construction of Northshore, due to staff and goods deliveries, is expected to produce only a minor impact on the local road network.

There are no significant adverse traffic or transportation issues associated with Northshore, even when the combined effects of other developments in the area are taken into account. It will be possible to accommodate the additional traffic that the development generates within the local road network, following the implementation of mitigation measures, which include some road works and traffic management.

The scheme will result in improvements to the pedestrian and cycle route network locally, with a shared path alongside the River Tees.

### Ground conditions

34. The assessment of ground conditions impacts was informed by a desk study, which included a review of a number of historic investigations, previous site remediation and land reclamation reports for various previous development proposals.

Ground conditions underlying the Northshore site consist of 'made ground' (material deposited or disturbed by man), overlying glacial clay and sandstone bedrock, with river deposits also present in

the Home zone area of the site. Groundwater is present within the superficial deposits and deeper within the rock, in addition to isolated occurrences of water within the made ground.

There are a number of historical and current site uses which are potentially contaminating, including: an iron and steel works, brick works, engineering works, garages, joinery works and infilled pits or reservoirs. The degree of contamination arising from previous land uses are typically a function of previous site practices, operational procedures and the degree/condition of any hardstanding that may have been in place at the time.

Some remediation has been carried out in the Heart (north), Riverside and Home zones. Those areas are now suitable for commercial or industrial use. Remaining potential sources of contamination in these areas are the mound in the north of the site, a diesel spillage from an off-site source to the north and buried slag ingots (furnace waste) in the west of the site. There may also be unanticipated hotspots of contamination. The diesel pollution incident at the distribution centre off-site will be remediated by other parties.

The mound in the north of the site is a registered landfill and there are three other registered landfills in the vicinity of the site; however groundwater does not flow towards Northshore from them. There are no waste disposal facilities within a 500m radius of the site, although a storage site is present within approximately 200m of the north of the site.

35. The assessment of impacts has focussed on the suitability of the site for the proposed land uses as well as the health and safety of construction workers. Given the concentrations of pollutants present in the soils on-site, based on available information, the risks to the construction workforce are considered to be minor. As such, it is considered that nominal safety precautions will be acceptable (the adoption of good hygiene and the use of overalls, gloves and dust masks where necessary).

In general, the use of mitigation measures such as standard construction procedures (bundling of fuel storage areas, avoiding the stockpiling of contaminated material etc) means that the potential risks to surface waters during the construction stage are considered to be minor.

Piled foundations could theoretically create pathways for contaminants to reach groundwater, thus the procedures associated with any piling works will be agreed with the Environment Agency.

Mitigation measures, if required, may include the remediation or removal of contamination sources or the introduction of temporary support or casings to the piles to prevent a pathway being formed.

36. The concentrations of pollutants generally encountered are not considered to pose significant risks to users of the proposed development, providing that any 'hot spots' which may be identified during ground investigation and construction works are removed and/or suitable mitigation measures are undertaken. These may include provision of appropriate 'clean cover' in proposed soft landscaping areas.

Health impacts associated with the inhalation of ground gases, if any, will be mitigated by the provision of appropriate gas protection measures in accordance with best practice guidelines.

Movement of contamination into the underlying groundwater will be reduced as a result of the proposed development, as areas of hard standing (e.g. tarmac) are to be incorporated, which is an improvement on the current condition.

Measures will be agreed with the Environment Agency to mitigate risks from the existing buried slag ingots located in the western extent of Riverside zone.

With all mitigation measures in place, no significant impacts in respect of human health or environmental receptors are expected to arise from the ground conditions at Northshore.

## Water

37. The assessment of hydrological impacts included the impacts of the proposed Northshore development on water in the surrounding area and the impacts of any hydrological effects (such as river flooding) on the development.

An assessment was completed to assess how the development of this site will influence flood risk, within the site and beyond its boundary. A drainage strategy has also been prepared, which provides detailed information on how foul water (e.g. sewage) and surface water from the

development site will be managed to ensure that water quality, flood risk and sewerage infrastructure capacity are not compromised.

38. Flooding of public waterfront areas and buildings located adjacent to the river may potentially pose a minor but not significant risk on the users of the development. Making users aware of flood risk to these areas through public displays will aid in reducing this risk, along with on-going monitoring of the Environment Agency's flood warning website.

Soil and sediment is likely to be carried into the River Tees by construction water run-off from the site. This could potentially cause temporary but significant impacts on water quality. Mitigation measures are proposed including interception and soil protection techniques, however it will be difficult to fully eradicate adverse impacts even with these measures in place. It should be noted however, construction impacts will be temporary and are unlikely to have any permanent adverse effect on the water environment.

Water quality will also be affected by the construction of the waterfront area and the 'river source heat pump', some of which will take place in the river itself and which will therefore increase the turbidity (cloudiness) of the water. Land based plant will be used for any such works where feasible.

During construction of basements, there is a risk of flooding during heavy rain, so water may need to be pumped out of the basements to minimise the risks to construction workers.

### Socio-economic

39. A range of national, regional and local policies promote the regeneration of urban areas, such as that proposed at Northshore. In particular, Policy 13 of the North East of England Plan Regional Spatial Strategy identifies Northshore as a key site for regeneration in the region.

There are high levels of deprivation associated with much of the area surrounding Northshore, including some of the 10% most deprived areas in the country. Compared with the rest of Stockton-on-Tees Borough, the immediate area has a higher proportion of flats and social housing, and higher levels of economic inactivity, unemployment, residents with no qualifications and people working in lower skilled jobs. The main employment sectors locally are distribution, hotels and restaurants.

40. The development will have a number of socio-economic impacts including employment generated during the construction and once the development is built, an increase in population and consequent impacts on social infrastructure, and increased expenditure. Expenditure from local workers and households could potentially increase by up to £40.6 million a year.

41. The development is likely to create around 325 permanent full time equivalent jobs as a result of the construction phase and up to 4,600 jobs in the employment uses in the finished development. There are approximately 180 jobs already on the site; therefore the increase in jobs on site is predicted to be up to 4,745.

The population on site is predicted to be up to 1,470 new residents with up to 215 children, of which 65 would be likely to be of pre-school age, 90 primary age and 60 secondary age. The closest primary schools to the site are close to capacity hence adequate mitigation will be agreed with SBC through the planning process. However, there are enough surplus places at secondary level to accommodate all the children within the development.

The increase in population will not lead to additional demand for health services and a new health facility is also being provided on the site.

### Landscape and visual assessment

42. An assessment was undertaken in order to determine the potential impact of the proposed development on the landscape (or 'townscape') character of the site and surroundings and on visual amenity.

The landscape of the proposed development site is considered to be of low sensitivity with a high capacity to accommodate change largely due to existing and previous land uses, the proximity of the site to nearby industry, the lack of sensitive visual receptors within and in close proximity to the site and the scope for mitigation. An assessment was also undertaken of the surrounding area which included the industrial areas immediately north of the site, the river corridor, the university and business park to the south side of the river and the town centre to the west of the site. It is considered that these landscape character areas have between a moderate and high capacity to accommodate change due to their low to moderate landscape value.

In undertaking an assessment of the visual amenity a number of principal representative viewpoints were established which addressed short and long distance views into the site, views out of the site and views within the site. In most views of the site at present there are features which clearly indicate that parts of the site are derelict. In particular, views into the site do not rate as high quality in terms of either the sites open space or urban fabric.

43. Where construction work will be visible, this may be associated with positive change on a site, which has been vacant for a long time as it signifies that regeneration has started. However in some views from outside the site, particularly from the Durham University Queen's Campus on the south side of the river and from Church Road, there may be adverse effects from construction activity occupying a large part of the view. However, this will be temporary and for a relatively short period.

44. In the long-term, high quality development will take the place of the existing varied but poor quality landscape. This will be positive and will bring beneficial change to the overall landscape. The development will be of high quality and will relate well to the surrounding area, including the existing buildings of the town centre and to the University. The scale of buildings will vary within the site so that it will not dominate important existing development but will tie-in and appear at a correct scale with other development.

Once completed the proposed development will be visible from a wide range of places in Stockton and will have an impact on the views from all of the viewpoints. All of the changes in view are considered to be beneficial compared with the existing situation. While there will be some adverse elements to some of the changes of view particularly during construction the overall impact on completion will be beneficial as the area will be regenerated to a vibrant, high quality, mixed-use development. Hence the permanent effects of the proposal are considered to be positive on both landscape/townscape character and visual amenity.

#### Archaeology and cultural heritage

45. Archaeological and cultural heritage features include sites, structures and artefacts of archaeological, historical or architectural interest.

The study area has been the site of substantial past human activity and numerous phases of industrial development. The site is known to have been the site of several, now demolished, post-medieval and modern buildings including the site of a former pottery and shipyard. The site has also been the focus of substantial modern industrial activity including an iron works and a landfill site.

Given the extent of 19th and 20th century disturbance associated with the construction and subsequent demolition of these buildings, it would be expected that many earlier remains will have been destroyed.

Some buried archaeological remains may survive within relatively undisturbed areas of the site and could, therefore, be disturbed during proposed works at Northshore. To reduce this risk, an archaeological evaluation will be undertaken prior to development and this will be agreed in advance with SBC if required. This may involve trial trenching to identify the possible locations of archaeological features and recording and/or preserving any finds.

## Air quality

46. A review of Stockton Borough Council's air quality review and assessment documentation indicated that there are no Air Quality Management Areas in the Borough; hence it is unlikely that the air quality at Northshore exceeds any air quality objectives.

A site visit and consultation with SBC have not identified any industrial processes or sources of odour, which could have a significant impact on the environment for residents of the proposed development.

To assess the impact of road traffic emissions, a comparison was made of estimated levels of air pollutants in 2023 and 2028, for roads in the vicinity of the site, with and without the expected traffic from the development. The detailed modelling study indicated that levels of particulates (PM10) and nitrogen dioxide (NO<sub>2</sub>) across the whole site would comply with the relevant Air Quality Objectives in 2023 and 2028, even taking into account traffic generated by the development.

47. During the construction and decommissioning phases of the development, dust is likely to be generated and this impact is expected to be significant although dust suppression measures will reduce the impact to an acceptable level.

It is therefore concluded that, from an air quality perspective, the site is suitable for residential use and the development is unlikely to have a significant impact on pollutant levels in the vicinity of the site.

## Noise and vibration

48. Existing and proposed places of work and residences have the potential to be affected by noise and vibration from the proposed development.

The main existing noise sources are road traffic, the Morrison's distribution warehouse that is associated with heavy vehicle movements, ventilation plant and similar on nearby buildings, and occasional aircraft. The River Tees Water Centre and Castlegate Marina Club are thought to only have very limited potential to cause noise impacts and are not considered to be sensitive to noise impacts.

Construction work is often associated with temporary increases in noise levels, which may result in short-term disturbance. Adjacent places of work and residences have the potential to be affected by construction work and in many cases are already exposed to significant levels of noise from existing road traffic and industrial sources.

Construction noise impacts will be greatest during early stages of the project, for example during demolition and groundworks. However, the worst impacts will only occur for short periods of time, when construction activities are taking place on the parts of the development site that are closest to the receptors concerned. For the remainder of the construction phase, noise impacts will be lower and of less significance than under these worst-case conditions.

To lessen the impacts of construction noise, where feasible bored rather than driven piling methods will be employed. If sheet piling is required, this will be agreed with Stockton Borough Council.

Construction traffic will not increase traffic flows sufficiently to give rise to significant increases in road traffic noise at any residences. This can be assured through the selection of construction traffic routes to avoid any areas of sensitivity.

Noise associated with the operation of the proposed development will arise mainly from fixed building services plant (ventilation plant etc) and increases in levels of traffic noise on local roads. Neither of these impacts is expected to be significant.

## Waste management

49. Waste will be generated during site preparation, construction and operation of the development. During construction works, up to approximately 15,140 tonnes of construction waste are expected as a result of building activities over the 14 year construction duration. Additionally,



up to a predicted 2068 tonnes of waste are expected to be produced each year by occupants of the site, once the entire development is completed.

Waste facilities in the local area could be affected and waste may end up being directed to other areas of the Tees Valley. Although these areas should not be significantly affected by the predicted waste quantities, transporting waste away from where it was produced does not accord with the proximity principle.

To ensure that pressure on local waste infrastructure is minimised, efforts will be incorporated into construction and site preparation works to firstly minimise waste generated and secondly to segregate materials which could be recycled. At detailed design stages, the impacts of design on waste management for both construction and operational phases of the development will be considered.

Waste minimisation will primarily be achieved through the preparation and implementation of a 'site waste management plan', managed by designated person on-site.

50. Future residents of the site will be encouraged to adopt sustainable waste management practices, for example by providing information packs about waste management in each home and by facilitating home composting or community waste schemes where feasible. These systems will be supported by onsite waste management champions who will offer support and advice to the residents and users.

#### Microclimate – wind

51. A pleasant external environment is key to any sustainable development and in the UK the strength of the wind and degree of exposure form an important part of this.

The new development is expected to shelter large areas of the site and neighbouring areas, improving environmental wind conditions, although the development will also bring new pedestrian activities into the site, resulting in increased exposure to winds in the area. In particular, conditions near the river are likely to be relatively exposed for much of the year. However alternative access routes are available away from the river.

The study of wind effects was performed at an early stage of development's design, allowing the building form and landscaping scheme to be developed to mitigate localised adverse wind effects and maximise the improvement in conditions to the centre of the site.

Key mitigation features incorporated into the design are stepping of buildings away from the river to reduce acceleration around building edges near to the river and the alignment of taller buildings away from the prevailing wind near to the river.

### **TRANSPORT ASSESSMENT**

52. The Transport Assessment assesses worst-case scenario in transportation terms. This has been quantified by the transportation consultants as the following form of development, namely the highest level of traffic generation that can occur within the constraints of the floorspace caps for both individual uses and the whole development. The applicant states that this is not the most likely form of development; rather it is the worst case, in transportation terms.

**Table 3: Worst Case in Traffic Terms**

<b>WORST CASE IN TRAFFIC TERMS - TO BE ASSESSED WITHIN TA</b>				
<b>Use</b>	<b>No. of Units</b>	<b>SqM NIA of units</b>	<b>Total SqM NIA</b>	<b>Total SqM GIA</b>
<b>Residential</b>				
One Bed Apartments	300	46	13,800 <sup>(1)</sup>	16,235 <sup>(1)</sup>
2 & 3 Bed Apartments	94	65	6,110 <sup>(1)</sup>	7,188 <sup>(1)</sup>
Family housing units	350	93	32,550 <sup>(1)</sup>	32,550 <sup>(1)</sup>
<b>Offices</b>	N/A	N/A	N/A	77,757
<b>Health care facility</b>	N/A	N/A	N/A	8,000

<b>Retail / Leisure</b>	N/A	N/A	N/A	8,050
<b>Hotel</b>	N/A	N/A	N/A	12,600
<b>Watersports Centre and Marine Club</b>	N/A	N/A	N/A	2,315
<b>Car Dealership</b>	N/A	N/A	N/A	1,929
<b>Total</b>				<b>166,624</b>

<sup>(1)</sup> Based on typical unit sizes.

53. For traffic modelling purposes, the worst-case scenario would be the maximum amount of Class B1 commercial floorspace (108,336sqm) and 744 residential units, rather than 999 residential units. In simple terms:

- There is a total floorspace cap of 166,624sqm;
- Class B1 floorspace generates more traffic than residential; and
- After the maximum 108,336sqm of B1 has been deducted from the 166,624sqm total caps, approximately 744 residential units could be developed based on indicative unit sizes.

54. It is recognised that the suggested conditions provide for 108,336sqm of commercial floorspace and 999 residential units. However, the condition caps the total amount of floorspace for these uses at 166,624sqm. Accordingly, it would not be possible to erect 108,336sqm of commercial floorspace plus 999 residential units on site. The developers have provided a schedule of floor areas for the 1 and 2 bed apartments, together with the family housing which are detailed in the above table. On the basis of this schedule the amount of residential units listed under the TA worst scenario can be accommodated on site, should the maximum amount of commercial floorspace be provided (108,336sqm). Any additional residential units would exceed the cap of 166,624sqm imposed within the suggested condition.

55. Furthermore, it would not be possible to erect 999 apartments and the maximum amount of commercial floorspace (108,336sqm) on the site for the following reasons:

- The suggested housing mix condition above requires the mix of house types to be agreed by the Local Planning Authority. The mix will need to include family housing.
- Any planning permission will be tied to the Design and Access Statement (DAS) via a condition. The DAS includes the Home Zone for family housing. Accordingly, a 100% flatted development could not be erected within this Zone because it would be contrary to the requirements of the DAS and would depart from any planning permission.

56. In light of the above, the applicant considers it reasonable to assess a development of 108,336sqm of commercial floorspace and 744 residential units, together with the Watersports Centre and Marine Club as the worst case scenario within the TA.

57. The Transport Assessment identifies measures to mitigate for the impact of the full Northshore development (works to North Shore Gyrratory; Riverside Roundabout and remedial measures if the Travel Plan Vehicular Trip targets are exceeded (signalising exit from site to control traffic at peak periods).

## **CONSULTATIONS**

58. It should be noted that the applicant has undertaken consultation in accordance with the adopted Statement of Community Involvement. This involved a range of activities including; meeting with statutory consultees and local stakeholders and residents; a public exhibition held in

Stockton Central Library, a leaflet to over 200 local businesses and residents within the vicinity of the site and media articles.

59. Local residents/businesses have been individually notified of the application and it has also been advertised on site and in the local press. The following Consultations were notified and any comments received are set out below: -

#### 60. Primary Care Trust

The PCT is currently exploring a number of options for the development of additional health care premises in Stockton within or close to the town centre. Consideration is also being given to the North Shore area although no decisions have been made in respect of the provision of health care facilities in that area.

A decision in respect of outline planning permission will be helpful to the PCTs consideration.

#### 61. One North East

The Agency believes it is vital to prioritise support for the accelerated economic growth of the region and maintains that it is necessary to focus actions and interventions in those areas of greatest opportunity, particularly the Tyne and Wear and the Tees Valley city regions. Evidence has shown that city regions are the 'engines' of regional economies and that in the North East both Tyne and Wear and Tees Valley accounted for the majority of the region's economic growth between 1995 and 2001.

The RES recognises the importance of Stockton and Middlesbrough within the Tees Valley City Region specifically identifying major Tees Valley investment programmes to further develop and deliver a long term and strategic approach to the regeneration of the urban core, in particular the development of the Tees Valley Regeneration (TVR) sites including Northshore. The RES Action Plan<sup>i</sup> identifies the completion of the TVR sites, including the development of Northshore, as a priority in the Tees Valley City Region development programme.

In the above context One North East is fully supportive of the application. Indeed the Agency is represented on the Northshore Project Board and has been involved in the development of the planning application in conjunction with the preferred developers, the Northshore Development Partnership Ltd.

It should be noted that the Agency previously owned part of the site, transferring ownership to the former English Partnerships, now the Homes and Communities Agency. One North East is currently involved in acquiring another part of the application site.

In addition to the above One North East has part-funded the Greater Northshore Study. This work seeks to ensure that the future development of land adjacent to Northshore sits in a clear planning context by guiding the type and quality of future development within the area to protect and enhance the investment in Northshore and the riverside area generally. Stockton Borough Council and TVR are working in partnership to produce the Study which will ultimately be adopted by the Council as a Supplementary Planning Document.

The application site lies within an area identified by Policy EN17 in the Council's Local Plan (adopted 1997) as appropriate for the range of uses included within the application - with the exception of retail. This Policy has been 'saved' by the Council during the preparation of the Council's Local Development Framework Development Plan (DPD) documents. The applicants make the case that the proposed retail provision within the scheme will be ancillary to the other uses.

Policy 13 Brownfield Mixed-Use Locations of The North East of England Plan: Regional Spatial Strategy to 2021 (July2008) identifies Northshore as a major mixed-use regeneration project. The

policies in the Council's emerging Local Development Framework documents also acknowledge the importance of the successful regeneration of Northshore.

**Housing:**

The application recognises the importance of offering a range of housing, including affordable housing, within the development to ensure that a wide range of households are attracted to Northshore. The Agency believes that better alignment of supply and demand can have a positive effect on the economy and allow the region to contribute to the achievement of RES objectives, the Northern Way and government targets.

**Hotel:**

The hotel proposals within the submission are in line with emerging evidence relating to visitor accommodation requirements in Stockton and the wider Tees Valley area and the Agency welcomes this aspect of the proposed development.

**Design quality:**

The Agency recognises that this site occupies a prominent riverside location. Therefore it is of key importance that any development on this site achieves a high quality of design and appropriate uses to create a sense of place and arrival for visitors to Stockton. The Agency welcomes the applicants' recognition of the importance of providing improved pedestrian/cycle access to the areas east, west and south of the riverside and would urge the Local Planning Authority (LPA) to secure such provision by the imposition of appropriate conditions on any planning permission.

The RES promotes the need for quality of place within existing and proposed development. Agency initiatives include delivering developments/regeneration schemes to comply with a set of Quality Design Standards. The aim is to deliver buildings which are over and above Building Regulation Standards and demonstrate best practice in areas of accessibility, sustainability, whole life costing and general design standards.

With this in mind, should the application be viewed favourably, the Agency would request the LPA to encourage the developer to pursue the highest standards of quality in the development of this site, e.g. achievement of appropriate BREEAM, Code for Sustainable Homes, Building for Life and Secured by Design standards.

In line with Government objectives to generate 10% of electricity from renewable energy sources by 2010 the application details regarding the provision of renewable energy measures within the scheme should also be provided.

**Skills training:**

The RES recognises the importance of developing appropriate skills training programmes to meet the region's employment requirements. The Agency welcomes the intention to provide, through a legal agreement, employment and training opportunities within the development proposals.

Subject to the LPA being satisfied that details relating to the provision of facilities such as open space and education as well as issues concerning policy, environmental and highway matters have been resolved, for the reasons stated above One North East fully supports these development proposals which the Agency considers will make a vital contribution to the regeneration of this important area of Stockton in terms of providing employment and economic opportunities.

## 62. Highways Agency

The Highways Agency has no objection in principle to the application being granted planning consent subject to a condition covering the travel plan. We would also require provision to be made within the section 106 agreement to secure funding for the following:

- Re-routing of existing bus services through the site
- Provision of shuttle bus service
- Provision of a pass for one month of free travel for new employees/residents (Specific details relating to these measures are included in the agreed Travel Plan)
- 

### 63. North East Assembly

Under section 38 (3) of the Planning and Compulsory Purchase Act (2004), the Regional Spatial Strategy (RSS) (July 2008) is part of the statutory development plan. Under the plan-led system, this means that the determination of planning applications will be made in accordance with the RSS and other development plan documents, unless material considerations indicate otherwise.

The outline planning application is for the creation of a major mixed use development on the northern bank of the River Tees, to the south of Church Road/A1046 and to the east of The Square in central Stockton. The proposal includes:

- up to 999 residential units (Class C3);
- up to 108,336sqm of commercial retail and service uses (Class A1 and A2), leisure and hotel uses (Class A3, A4 A5 and C1), offices (Class B1), a health care facility (Class D1) and car dealership (sui generis); and
- Up to 3,500 car parking spaces.

Stockton's core strategy publication draft (October 2008) identifies the site as the North Shore/Greater North Shore regeneration area and within the Stockton core area. Policy CS1 prioritises the development of previously developed land within the core area to meet the Borough's housing requirement, with particular emphasis given to projects supporting the Stockton-Middlesbrough initiative, which includes the North Shore regeneration area.

#### Location

The proposal is on previously developed land within the Tees Valley conurbation in the city region, and is therefore consistent with the locational priorities of RSS policies 6 and 10. It also falls within the most sequentially preferable category of RSS policy 4, and will contribute to the delivery of RSS policy 13 which identifies North Shore as a brownfield mixed-use location suitable for major mixed use regeneration.

#### Town centre uses

RSS policy 25 aims to reflect the objectives of Planning Policy Statement 6 (PPS6) and RSS policy 6 by focusing the majority of new retail and leisure development within defined urban centres. RSS policy 13, however, identifies the site as a major mixed-use brownfield regeneration area, which by its nature could incorporate an element of retail.

The majority of the North Shore proposal is located outside of the Stockton town centre (although the westernmost portion of the site does fall within the defined town centre), and proposes up to 8,050sqm of ancillary retail and leisure uses (class A1, A2, A3, A4 and A5). Mixed use development, including an element of ancillary town centre uses, is appropriate in this location, although the Local Authority should be satisfied that the amount of retail and leisure floor space proposed will not adversely affect the viability and vitality of the Stockton town centre, as required by RSS policy 25.

#### Housing

RSS policy 28 makes provision for 9,475 net additional dwellings in Stockton over the period 2004-21. Taking into account net completions since 2004 and the number of new dwellings linked to outstanding planning permissions, the building of up to 999 new dwellings will exceed RSS policy

28 provision. However, although this would exceed RSS provision, the location and priority attached to this site mean that the proposal does reflect RSS objectives. The development of new housing in this brownfield location will also contribute to the achievement of previously developed land targets set out in RSS policy 29.

RSS policy 30 promotes the provision of a range of dwelling type, size and tenure to meet the assessed needs of all sector of the community, and aims to ensure that affordable housing is provided based on evidenced need. The North Shore planning statement proposes the provision of 8% affordable housing, along with a set of maximum ranges for different housing types throughout the site, including up to 350 family houses, 300 one bed units, 599 two bed units and 100 three bed units. It is noted that the amount of affordable housing proposed is below the 15-20% advocated in Stockton's emerging core strategy. The local authority should be satisfied that the level provided is justified according to local need and inclusivity. Furthermore, while a mix of housing types is proposed by the scheme, the Local Authority should be satisfied that the proposed mix, particularly the number of one bed apartments, will help to deliver evidenced need defined in the Tees Valley Strategic Housing Market Assessment.

#### Employment uses

The scheme proposes a range of employment uses on a brownfield mixed-use location within the Tees Valley conurbation, and is therefore consistent with RSS policies 12 and 13. These uses include up to 85,757sqm of B1 employment uses across the western and central areas of the site, up to two hotels, a potential health care facility (of up to 8,000sqm), and the relocation of an existing car dealership within the site. RSS policy 13 requires the employment element of major mixed use development proposals to be met from the General Employment Land Allocation set out in RSS policy 18. The local authority should be satisfied that the employment uses proposed in this scheme can be met by the local authority's employment land portfolio.

#### Transport

The location of a major mixed use development adjacent to Stockton town centre reduces the need to travel to access major services, and is accessible by public transport. Furthermore, the proposal contains a transport assessment considering the development's local network impacts, travel demands and mitigation measures. Provided that the council is satisfied with the conclusions drawn from the transport assessment and mitigation measures proposed, the proposal reflects the objectives of RSS policies 2, 7 and 24.

The proposal also contains a framework travel plan for the site, detailing how a final travel plan could be managed and implemented, the measures to be delivered and how they would be monitored. Importantly, the framework travel plan notes that car parking provision for the proposed development (up to 3,500 spaces) will be considerably lower than national and local maximum standards, and that the scheme has been designed with the intention of discouraging single driver car journeys to the site. This approach to parking provision, combined with the travel plan framework for the site, is consistent with RSS policies 6, 24 and 54.

#### Environment and climate change

An environmental assessment has been carried out, identifying a range of impacts to be addressed through mitigation measures. A number of unmitigated residual impacts have been identified, although these are mostly limited to the construction phase. Whilst the environmental mitigation measures proposed will be a detailed matter for the council, Environment Agency, Natural England and English Heritage to consider, the inclusion of these mitigation measures is supported; and will meet a number of objectives of RSS policies 2, 8 and 33.

#### Flooding and SUDS

A flood risk assessment (FRA) has been carried out by the applicant and included with the application given the site's location in Flood Zones 2 and 3 of the Environment Agency's flood maps. RSS policy 35 requires that, in considering planning proposals, a sequential risk based

approach to development and flooding should be adopted as set out in PPS25. The aim of PPS25 is to steer development to areas at the lowest probability of flooding (zone 1). It will be necessary to ensure that the Environment Agency is satisfied that these requirements have been met to ensure general conformity with the objectives of this policy.

The FRA states that the proposed development will include a number of surface water management features developed in accordance with the principles of sustainable drainage systems (SUDS), which is consistent with RSS policy 34.

#### Energy

Although the application refers to the development of a site wide energy strategy and use of renewable energy sources, it is not clear what specific embedded renewable energy generation and energy efficiency measures are proposed for the development. RSS policy 38 requires that, in advance of local targets being set in DPDs, major new development should secure at least 10% of its energy supply from decentralised and renewable energy or low carbon sources, unless having regard to the type and design of the development, this is not feasible or viable. RSS policy 38 also encourages local authorities to strive for high energy efficiency and low energy consumption in new development, by promoting the achievement of energy efficiency standards established in the BREEAM and the Code for Sustainable Homes. This proposal would reflect the objectives of regional planning policy by incorporating energy efficiency measures and embedded renewable energy generation.

#### Conclusion

The proposal for a major mixed-use development at North Shore, Stockton, reflects RSS objectives. However, the proposal would need to incorporate the required energy efficiency and renewable energy generation measures to be in general conformity with the RSS.

### 64. Urban Design Engineers

#### General Summary

Urban Design supports this application subject to the Framework Travel Plan: Northshore Development Partnership Muse / Urban Splash as submitted to the LPA as part of this application being implemented and the necessary mitigation measures secured from the developer via a Section 106 Agreement.

#### Highways Comments

The submitted information has been considered and comments are as follows:

##### Base Traffic Data

The base traffic data for the North Shore Transport Assessment (TA) has been compiled from a number of sources including Stockton Borough Council (SBC) records, previous Transport Assessment reports and existing micro-simulation models. Where no existing data existed, additional surveys were undertaken. This resulted in acceptable base traffic data for the whole of the highway network.

##### Committed Development and Highway Schemes

As agreed with SBC and the Highways Agency (HA), the vehicle trips associated with committed development has been adequately assessed in the TA.

##### Road Safety

Road safety has been adequately assessed in the TA and it has been demonstrated that the additional trips over and above those that are currently consented for the North Shore site will not have a detrimental impact on the road network in terms of road safety.

#### Traffic Growth

National Road Traffic Forecast (NRTF) growth factors, adjusted locally with TEMPRO factors, have been applied to the base flows and are acceptable.

#### Trip Generation

The development mix that has been assumed for the purpose of trip generation within the TA is as follows: - :

Family houses	:	350 units
1 bed apartments	:	300 units
2 & 3 bed apartments	:	94 units
Retail and Leisure (A1, A2, A3, A4, A5)	:	8,505m <sup>2</sup>
Two Hotels (C1)	:	12,600m <sup>2</sup>
Employment (B1)	:	85,757m <sup>2</sup>

It has been demonstrated in the TA that this generates the highest level of trip generation that can occur within the constraints of the floorspace and dwelling number caps both for individual uses and the whole development. It therefore provides the worst case in terms of transport impact.

The TRICS database has been used to predict person trips across all modes for the different development types proposed. This database has also been used along with relevant Census data to predict a modal shift as a result of the Travel Plan. As a result, the modal share targets to the development are as follows:

Table 2.1 - Proposed Modal Share Targets

	Proposed Modal Share Targets (%)	
	Office	Residential
Bus	20	9.4
Train	3	3
Taxi	0	0
Car Driver	55.9	60
Car Passenger	11	11
Motorcycle	1.1	1.1
Bicycle	3	3
Pedestrian	6	12.5

Also, the predicted level of residual vehicle trip generation is as follows: - :

Table 2.2 - Proposed Residual Vehicle Trips



AM Peak		PM Peak	
Arrivals	Departures	Arrivals	Departures
1331	617	396	742
Total AM		Total PM	
1948		1138	

### Trip Distribution

The distribution of vehicle trips on the network has been derived from a gravity model with adjustments for the opening of the east facing slip roads between the A66 and South Stockton Link Road and the redistribution of traffic as a result of capacity constraints at the Norton Road / Maritime Road roundabout. This distribution and resultant assignment of traffic onto the road network is acceptable.

### Traffic Impact

The TA uses an up to date gravity model adjusted to take account of recent road improvement schemes and current traffic conditions, that results in an acceptable vehicle distribution and assignment. This work has demonstrated that there is no material impact at the following junctions:

1. Norton Road / Maritime Road roundabout;
2. Portrack Lane / Dugdale Street roundabout;
3. Portrack Lane / Ross Road traffic signal junction;
4. Portrack Lane / Holme House Road roundabout;
5. Portrack Lane / Cheltenham Road traffic signal junction;
6. Churchyard Link Road / Bridge Road traffic signal junction;
7. South Stockton Link Road / Bridge Road traffic signal junction;
8. South Stockton Link Road / A66 traffic signal interchange;
9. Portrack Interchange traffic signals.

However, material impacts have been identified on the North Shore Gyratory and at the Riverside / Churchyard Link Road roundabout as follows:

#### North Shore Gyratory

Figure 8 within the TA illustrates a scheme to widen the northbound approach to the Church Road / Maritime Road traffic signal junction. This scheme shall be secured via a S106 contribution. Estimated costs are given in attached Draft Heads of Terms.

#### Riverside / Churchyard Link Road Roundabout

The impact of the North Shore development on the existing roundabout results in a need to provide widening to the Parkfield Road and the Churchyard Link Road approaches. However, as a traffic signal scheme is already proposed for this junction, a contribution from the developer will be required for this larger scheme. The formula for calculating a contribution to this improvement scheme has been developed previously for other developments that have impacted on this junction. This formula is based on the impact of the additional trips at the junction, over and above those that are currently consented, being between 2% (am peak) and 7% (pm peak) of the

proposed base traffic levels in 2013. This scheme shall be secured via a S106 contribution. Estimated costs are given in attached Draft Heads of Terms.

#### Maximum Trip Realisation

In addition to the mitigation described above, schemes have also been developed for Dugdale Street just south of the Portrack Lane / Dugdale Street roundabout and for North Shore Spine Road on the westbound approach to the North Shore Gyratory. These schemes are to be installed should the vehicle trips, in the am or pm peaks, as identified in Table 2.2, ever be exceeded. This scheme shall be secured via a S106 contribution. Estimated costs are given in attached Draft Heads of Terms. The estimated costs associated with these improvements are based on the following drawings:

North Shore Spine Road Traffic Signals (see drawing TS/D1/H708/1/3)

Dugdale Street Traffic Signals (see drawing TS/D1/H708/1/4)

These schemes, if required, would form part of a Section 278 agreement and a bond from the developer will be required for the cost of these schemes. Costs for the Spine Road excludes service diversions, sub-station removal or works to Water sports Centre access), and for Dugdale Street service diversions removal of depot wall & palisade fence)

In order to monitor trips to and from the development, the developer has committed to funding the installation of seven permanent automatic traffic counts (ATC's). The cost for the installation of these counters and for the work associated with the monitoring of the traffic flows will be secured from the developer via the Section 106 agreement. Estimated costs are given in attached Draft Heads of Terms.

#### Sustainable Transport

The existing sustainable transport infrastructure, enhanced by the following improvements, will encourage the use of alternative forms of transport to the private car and will be adequate to meet the needs of the development. These will be secured from the developer via the Section 106 agreement. Estimated costs are given in attached Draft Heads of Terms.

#### Public Transport

The TA has assessed the existing services that are directly accessible from the North Shore site and there are frequent services to Stockton High Street serving a wide range of destinations.

A detailed assessment of public transport access to the North Shore site has also been undertaken, this has provided an accurate assessment of the associated strengths and weaknesses of the site and will help inform future decisions on public transport enhancements, specifically the reinforcement of bus services and the provision of a North Shore Shuttle bus.

It has been identified that improvements to the bus service provision are required and included within the Travel Plan. There is a commitment to initially provide a Shuttle Bus service through the site but ultimately to reinforce an existing bus service by diverting it through the North Shore site. Discussions have taken place with Stagecoach regarding the latter and a financial contribution from the developer will be required.

Bus stops are already in place within North Shore (4 No.) and on Portrack Lane (2 No.) but additional facilities are required at each location. In order to provide low floor platforms and enclosed bus shelters if not already provided and to install real time information and CCTV at all stops a financial contribution from the developer will be required.

#### Cycling/Pedestrians

The TA has identified that the potential for cycling for journeys to and from the development for both employees and residents is significant with extensive residential areas and destinations such as Stockton Town Centre, Middlesbrough Town Centre, Teesdale and Teesside Retail Park all

being within 5km of the site. Cycle / pedestrian routes also currently exist on the north and south banks of the river and the Infinity cycle / pedestrian bridge will further enhance the links to the development.

Footways are also in place on the existing North Shore Spine Road and signal controlled pedestrian facilities are incorporated into the North Shore Gyratory for links to the town centre.

On-site, safe and secure cycle parking will be provided at convenient locations within the development.

### Car Parking

The TA has determined a maximum cap on car parking numbers of 3500 car parking spaces for the assumed development mix. This has considered SBC maximum car parking standards (3738 parking spaces) but also an accumulation of parking within the site based on the predicted residual vehicle trips (3,691 spaces). As the cap on car parking numbers is a little less than both these figures then the number of car parking spaces will help to restrain demand and the level is therefore acceptable. This cap on car parking numbers should be reviewed as each reserved matters application is received and the actual development mix becomes to be realised.

### Travel Plan

The Framework Travel Plan: Northshore Development Partnership Muse / Urban Splash as submitted to the LPA as part of this application has been assessed and is considered to be acceptable. The Travel Plan shall be implemented in accordance with any Planning Approval and the Owner / Developer shall be obliged to make the financial contributions as set out in the Travel Plan or as mitigation measures required as part of the Transport Assessment. These will be secured from the developer via the Section 106 agreement. Estimated costs are given in attached Draft Heads of Terms.

### Conclusion

The Transport Assessment and Travel Plan for North Shore have demonstrated that sufficient road improvements combined with sustainable transport enhancements can fully mitigate against the impact of the development. This is not only through road junction improvements at the North Shore Gyratory and a contribution to improvements at the Riverside / Churchyard Link Road roundabout but also through Travel Plan initiatives and proposals to improve the public transport infrastructure. A full summary of the financial contributions that the developer has committed to via a Section 106 agreement are given in attached Draft Heads of Terms.

Model Planning Conditions have been developed following meetings with the applicant and it is our understanding that these conditions would be attached to any planning approval.

### Landscape & Visual Comments

The outline application successfully incorporates a varied range of open spaces and landscape features throughout the development. There is a strong emphasis on providing a rich mix of green infrastructure running through the development, which will enhance the river setting and areas surrounding the application site.

Open spaces should provide a varied and safe environment for informal play, linking the pocket parks, public squares, water play and car free areas.

The proposal to incorporate a diverse range of landscape features within the site, including green walls, green roofs, aquatic and marginal planting will require very detailed and specific specifications in terms of maintenance and management regimes.

The provision of a suitable space for active recreation and children's play has been considered and that this space will be suitably landscaped.

It is our understanding that financial contributions for Open Space provision are to be secured from the developer via the Section 106 agreement.

Model Planning Conditions have been developed following meetings with the applicant and it is our understanding that these conditions would be attached to any planning approval.

#### 65. Tees Archaeology

We have looked at the Archaeology and Cultural Heritage Section of the Environmental Statement, compiled by AOC Archaeology Group. This is an excellent piece of work, which has drawn together a wide range of relevant material. We note and concur with their definition of the monuments in the area and with their assessment of their significance and the potential threat.

We also agree with their identification of the North Shore Pottery and the early shipbuilding as the primary archaeological sites to be considered. These sites occupy the south-west part of the development area and we would agree that this part of the development area is of significant archaeological interest. It is however essential that the exact area of archaeological significance and the nature of the archaeological remains in this area be defined prior to determination of the application.

We would therefore agree with the Environmental Statement that a programme of archaeological evaluation should take place prior to determination of the application and would suggest that the developer and their consultants draw up and implement such a programme in discussion with ourselves.

#### Further Response

The preferred option would be to carry out archaeological evaluation of the most sensitive parts of the site prior to planning determination. This would be in accordance with the advice given in PPG 16 'Archaeology and Planning' and the Stockton on Tees Local Plan. I understand that the developer is investigating options for this archaeological evaluation with their sub-contractor but is also keen to progress the application, carrying forward archaeological requirements as a planning condition. If a planning condition is the preferred option then I would suggest the following model: -

No development shall take place within the area indicated until the applicant, or their agents or successors in title, has completed the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the local planning authority. Where important archaeological remains exist provision should be made for their preservation in situ. Reason: The site is of archaeological interest.

This condition is derived from a model condition set out in P.P.G. 16. 1990. Archaeology and Planning. DoE.

The final sentence of the suggested condition is non-standard and will expose the developer to an as yet unquantified level of risk.

#### 66. Tees Valley Regeneration

As you will be aware, Tees Valley Regeneration and our partners the Homes and Community Agency, One North East and Stockton Borough Council have worked very closely with NSDP to bring forward the masterplan and supporting technical documents for the North Shore development scheme. Our vision for North Shore, developed jointly with NSDP is 'to achieve a sustainable

future for Stockton on Tees, through the delivery of high quality and commercially successful mixed-use urban regeneration, which will add to the facilities, image and economy of the Tees Valley.'

The masterplan and supporting documents contained within this Outline Planning Application have been developed in accordance with the vision for North Shore and partners shared aspirations for the area. This has been done through regular design meetings attended by all partners, consultants meetings and updates at the Project Board upon which all project partners sit.

We believe that this masterplan adheres to the original objectives for North Shore to bring forward a unique, distinctive and high quality new quarter within Stockton that supports and strengthens the existing town centre. The development will offer high quality homes, employment and leisure opportunities for both the existing and new communities of Stockton and will utilise the fabulous asset of the River Tees to bring forward a waterfront development that will raise the bar for design and sustainability in the Borough.

This application and all its supporting documents have been signed off by the project partners and as a consequence of our close involvement in its development, Tees Valley Regeneration strongly supports this application.

67. Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend the conditions regarding unexpected land contamination be imposed on the development should it be approved.

68. CE Electric UK

No objection and standard mains record shown.

69. Northern Gas Networks

No objection and standard mains record shown.

70. The Environment Agency

Thank you for referring the above application which was received on 23 February 2009. We would only find the development as proposed acceptable if the following conditions are included on any planning permission:

Condition: A supplementary flood risk assessment, taking the proposed works into account, shall be submitted to, and approved in writing by, the Local Planning Authority prior to submission of any reserved matters applications encompassing areas of the site within 50m of the River Tees. These documents shall be prepared in accordance with the latest national guidance and the latest available information on flood risk and climate change. We would expect the assessment to also address the following aspects:

1. Ensure finished floor levels for residential development are set no lower than 5.38m above Ordnance Datum (AOD). Proposed finished floor levels for all development within and adjacent to flood zones will also be submitted.
2. All proposed development within flood zones include appropriate flood protection measures and a flood warning system.

3. All proposed development within flood zones are provided with safe dry routes into and out of the site to an appropriate safe haven

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that existing flood capacity and flow routes are maintained.

Informative: Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information relating to the proposals to an acceptable standard to ensure that the proposed development can go ahead without posing an unacceptable flood risk. Any hydraulic modelling undertaken to satisfy the above condition must be submitted to the Environment Agency in electronic format in order to be verified by the Environment Agency prior to LPA approval.

As the matters referred to in the suggested planning condition are not “reserved matters” as defined in the Town and Country Planning Act, 1990, it will be necessary to impose a separate condition for each issue to ensure that these matters are addressed by future developers.

We would expect that as the layout is finalised for the site that it is considered sequentially in accordance with the principles laid out in PPS25, i.e. development should only be located in flood zones if there is no way it can be accommodated within Flood Zone 1. Justification for any proposed development in flood zones should be provided within the reserved matters application.

Condition: Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include a timetable for implementation and shall demonstrate that there will be no increase in surface water run off for the design life of the site. The scheme shall be implemented in accordance with the approved details and timetable. The scheme shall also include details of how the scheme shall be maintained and managed after completion

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

Condition: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that

the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site has been subject to previous contaminative uses that may impact the River Tees and/or the Sherwood Sandstone principal aquifer

Informatives: Chapter 6 of the Environment Statement (dated February 2009) relates to ground condition and contamination. Section 6.6.1.2 states that 'further intrusive ground investigation will be undertaken on a zone by zone basis prior to detailed design'. Given the nature of the site, the groundwater & contaminated land section agree with this approach.

Appendix 6-A gives details of a preliminary risk assessment which in turn contains a section entitled 'Appendix C - Contamination Risk Assessment Summary'. This document states that there is no risk to the Sherwood Sandstone major aquifer. The reason given is that glacial clay acts as an aquiclude and therefore no pathway exists between the potential pollution sources on the development site and the receptor (the Sherwood Sandstone major aquifer). The evidence provided does not support this statement.

There are a number of infilled reservoirs and backfilled clay pits on site and also an area of alluvium in the south-east corner of the development site. Section 2.7.5.1 of the report contained in Appendix 6-D of the Environmental Statement goes on to state that in the south-east corner there does appear to be hydraulic continuity between shallow groundwater, the River Tees and the Sherwood Sandstone. These features may reduce the level of protection given to the underlying Sherwood Sandstone major aquifer. Until proven otherwise, a pathway and risk to the Sherwood Sandstone may be present and should be included during future ground investigation and risk assessment.

Chapter 7 of the Environmental Statement relates to water resources and refers to the use of SUDS techniques on site. Whilst The Agency supports the use of SUDS, care must be taken in ensuring there is no additional risk from the development of SUDS in areas where there is a risk of mobilising potential contamination

Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Unsuspected contamination may be discovered during development that could impact controlled water receptors (i.e. the River Tees and the Sherwood Sandstone principal aquifer).

Condition: Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling may introduce pathways to groundwater within the Sherwood Sandstone principal aquifer.

Condition: No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: SUDS may introduce increased infiltration of surface water in areas which may lead to contamination of the River Tees and the Sherwood Sandstone principal aquifer.

Informative: 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.

Condition: Prior to the commencement of the development, a scheme for the provision and management of a 10m buffer zone alongside the watercourse (out with of the proposed marina) shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

- *plans showing the extent and layout of the buffer zone*
- *details of the planting scheme (for example, native species)*
- *details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term*
- *details demonstrating how the buffer zone will be protected during development and manage/maintained over the longer term*
- *details of any management of invasive species such as Himalayan balsam, giant hogweed and Japanese knotweed*
- *details of any footpaths, fencing, lighting etc.*

Reasons: Development that encroaches on watercourse has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside watercourse is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change. Otters are known to use areas both upstream and downstream of this site and the River Tees is a designated wildlife corridor.

Informatives: The buffer zone needs to be 10 metres wide measured from bank top for the whole extent of the site, not including the area of the proposed marina. Bank top is defined as the point at which the banks meets normal land levels. This zone should be without structures, hard standing, fences or overhanging development such as balconies and should not include domestic gardens or formal landscaping. The buffer zone needs to be designed and managed to develop this natural character and locally native species of UK genetic provenance.

Lighting along the river should such that it minimises the impact on otter, fish and bats. The report suggests that otter are not present on the site but as they are both up and down stream they will be moving through. The lighting should be design to anticipate this. The landscape proposals should ensure that a marginal fringe of native aquatic plants is included to enhance the biodiversity of the development reach. The gentle batter of the riverbanks should be retained to allow access and egress for wildlife. We support improvements to the existing riverside path and links to the wider rights of way network.

We ask to be consulted on the details of this scheme when it is submitted for approval to your Authority.

Condition: The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage and of contaminated surface water run-off has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.



Reasons: To ensure no contamination to the water environment.

In addition to the above conditions, we also offer the following comments:

#### 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 level 3 or higher of the Code for Sustainable Homes or equivalent BREEAM standard as appropriate. In addition, we consider the proposed development should have embedded within it a minimum of 10% energy supply from renewable resources.

#### Recreation:

The Environment Agency has a duty to promote the use of water and land associated with water for recreation under the Environment Act.

The reach between the barrage and Princess Dianna Bridge is the zone for intensive watersports activity. We support the statements made in 12.32 that the existing clubs are important and new bigger premises will be provided for them. The timescale for the replacement of these facilities is vital so recreational use of the water is not prevented for club members during construction of the new facilities.

#### 71. Natural England

Based on the information provided, Natural England has outstanding concerns regarding the proposal at this stage as it considers that further information should be provided with the application to demonstrate whether or not the development would have an adverse effect on species especially protected by law. Our concerns relate to bats and advise that further information or key amendments are made to the supporting information to address the concerns. If the revisions are considered adequate the local planning authority does not need to reconsult Natural England. Further surveys should also be undertaken regarding breeding birds and the local planning authority may wish to attach an informative to make the applicant that reptile species may be present in the general area and the legal protection afforded to this species.

#### 72. British Waterways

British Waterways support the principles of the outline planning application, which adhere to the aims and objectives of the Stockton Middlesbrough Initiative and the Preferred Options document of Stockton on Tees Council's Core Strategy. In particular, we stress the importance of developing sport, leisure and recreational facilities and the continued development of the Tees as a world-class international venue for water sports.

Please also note that no development should impede the operation of the rowing course indicated on the masterplan.

If the Council is minded to grant planning permission, it is requested that the following informative is attached to the decision notice:

*"The applicant/developer is advised to contact third party works engineer, Ken Fowler (0113 281 6875) in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways' "Code of Practice for Works affecting British Waterways".*

73. Durham and Tees Valley Airport

No objection.

74. Sport England

I am content that the facilities listed would constitute investment in sport and recreation. Sport England wished to support this application.

75. Middlesbrough Borough Council

No objections to this major regeneration scheme.

76. Councillor Suzanne Fletcher

I am making the following preliminary comments to the plan from what I have seen so far.

1. The whole development should be Carbon Neutral in its overall impact. There is ample opportunity to do this with a cleared site next to the river, and should be insisted on for such a prestigious development. Not only would homes be cheaper to run as well as businesses and leisure facilities, but would be a valuable contribution to our environmental problems.
2. I am concerned about the distance from the Home Zone to buses. There are not many along the part of Church Road and Portrack Lane and it is a fair walk to those roads, especially for those not so mobile or with young children. I appreciate that the design brief is hopeful of encouraging more public transport, but we all know that we cannot insist. Also I think that a 10 minute walk to Thornaby Station is an over optimistic statement.
3. If the Health facility is to be accessed by the public the same points as in (2) can be made, and maybe more so as people are more likely to not be in good health, and are not choosing to live there, but accessing a facility they will be directed to.
4. I have concerns about the housing development being built first with no enforceable commitment to build other facilities on the site.

77. River Tees User Group

Generally we are in favour of the overall objectives of the proposal, in particular the emphasis on creating an attractive and accessible river frontage with appropriate amenities.

We have been consulted as a member of the Development and Access Working Group and support their comments made in Anne-Louise's email to you.

In addition, we would welcome further thought being given to more integration between the "heart" and the river, maybe in the form of a water basin including some river based activities - a mini harbour. A more substantial penetration of the river into the development would give it a very special identity and more opportunity for a concentrated and lively water based heart. It may also promote some residential provision around the feature to ensure life and activity at all times. Although it may require relocation of some buildings, we feel it would enhance commercial values generally by enabling greater water frontage and a much more unique environment. It would also avoid the appearance of an uncompromising linear wall of buildings along the whole river frontage.

We are very keen on providing easy access along the Tees generally, in the form of river taxis, leisure cruises etc. North Shore could be one of the hubs for such activity. Therefore it is important that proper docking facilities etc are incorporated from the outset.

With our long term vision for a River Tees and environs to be proud of, we feel that as each opportunity, such as this, comes along we should ensure that it is not an opportunity lost. We feel that what is currently proposed is well considered and commendable. Doing something on the lines suggested in 3 above could make it really special.

#### 78. Tees Valley Wildlife Trust

Having reviewed the additional information regarding bats and breeding birds the measures proposed will ensure that the development does not have unacceptable impacts on ecology and is compliant with the Authority's plans and policies for wildlife habitats and species.

### **PUBLICITY**

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

#### 80. Jonathan Still. Acting Manager River Tees Watersports Centre

We request the application be subject to the conditions here stated; Any new facility to be completed and handed over before the existing facility is removed; No reduction in provision of boat launching/landing facilities below those currently available; No reduction in provision of building facilities including; storage capacity, changing facilities, entertainment facilities and car parking below those currently available; Provision is made for all existing RTWC Clubs within any new facility; Any new facility needs to be close to the launching/landing facilities; Any new facility should be located such that operations were not subject to any further restrictions than currently; Any development of the riverbanks should not affect the ability of RTWC Clubs to use the stretch of river known as Barrage Reach safely.

#### 81. Martin James Church Secretary Stockton Baptist Tabernacle

Our two objections are firstly, that whilst the masterplan recognises Stockton Baptist Tabernacle as a building of significance the higher buildings that are planned in the Gateway Zone could lead to the church building being overshadowed by possibly inferior architecture.

Secondly, the plan does not propose a cogent solution to the additional parking requirements of the occupiers and users of the Gateway Zone which are unlikely to be met by the provision of "undercroft spaces where possible". Those working in, using and occupying the Gateway Zone are likely to be dependent on existing car parking which will come under pressure in any event by the proposed removal of an existing car park for development. This will have an adverse effect upon the many users of Stockton Baptist Tabernacle in addition to others working in and visiting this part of Stockton.

The ministry of Stockton Baptist Tabernacle goes significantly beyond the service to the community of an average church. Its contribution to the Stockton community is at a level more akin to a social care enterprise business. In excess of 300 children attend the premises each week, many of whom are vulnerable; 100 senior citizens attend a weekly luncheon club; between 400 and 500 people attend Sunday services when access in respect of disabled children and adults is a significant issue. The closure of the public car park adjoining the church and the omission in the scheme to provide any public car parking will have a dramatic and adverse effect on the service to the community currently provided at the Tabernacle.

Stockton Baptist Tabernacle is also used by care services serving the needs of Stockton's community; as a conference centre; by the general public for concerts; by the local authority for the collection of

bus passes and other public meetings, such as planning committee meetings where numbers of the public are expected to attend; by the PCT. The absence of public car parking in the immediate vicinity of the Tabernacle will directly affect members of the public attending the Tabernacle, and preclude services to particularly the elderly and disabled.

The proposed development contains no provision for any public car parking. The proposed development includes offices, housing and restaurant facilities which will inevitably result in additional parking requirements which it is our understanding will not be contained within the scheme. The remaining car parks in this area of Stockton will be put under significantly increased pressure as a result of the proposed extensive commercial and office development of the site.

We were informed at the public consultation that there is no legal requirement to provide public parking and that the development will contain none. The developers appear to be taking a solely commercial and legalistic approach towards their responsibilities rather than considering and acting in the best interests of the residents of Stockton.

When we first met with Tees Valley Regeneration we were under the impression that the Northshore development was to be for the benefit of all Stockton. Our overall impression after attending the public consultation and discussing the scheme with the representatives of the development team is that the social benefits have been sacrificed in favour of purely commercial considerations.

Whilst it is appreciated that the consultation was only intended to give an impression of the development it appeared that the new buildings were being sited closer to existing buildings than planning legislation permits in the sense of light rights and adjacency to residential property.

We feel strongly that the proposed scheme in its present form will directly hinder the spiritual and social care provided to Stockton residents from the Tabernacle site and that in its current form completely misses the opportunity to provide benefit to the town on what is a central and strategic site.

#### 82. Appletons Surveyors representing Prestons of Potto

Messrs FVS/Prestons of Potto have no current intention of vacating their land however if, and when, they do so they will either make their own planning application in respect of alternative development or take advantage of such planning approval as may be available on the site.

#### 83. Richard Pickersgill and Sons Ltd Church Road Stockton on Tees

As we have commented on previous occasions we do not accept the premises that our site will be anything other than to our choosing and hold the right to proceed with our own planning as previously granted or to use this present planning application to our benefit.

#### 84. Planning Prospects Ltd representing Simon Bailes Ltd

My clients concerns in respect of the application relate to the following;

The application extends to include land outside of the applicants control, including land owned and occupied by Simon Bailes Ltd and others.

There is no logical planning reason to need to include this land within the application proposals as the site can logically come forward independently, but consistent with the council's regeneration objectives.

The application proposals for the site are fine as far as they go, however the site's location and prominence suggests greater potential for a more genuine mixed use scheme which could include retail, leisure, hotel, conference and/or housing in addition to the office proposed.

#### Other issues

Castlegate Marine Club and O'Rourke's commented on consultation requirements but it was established that the Castlegate Marina had been formally consulted via their Honourable Secretary and received their notification letter by post.

## **PLANNING POLICY**

85. 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), Tees Valley Structure Plan (TVSP) and the Regional Spatial Strategy (RRS).

86. In respect of housing, the Tees Valley Structure Plan reflects national and regional guidance. The strategy adopted in the Tees Valley Structure Plan is one of sustainable urban growth with the majority of new development taking place on previously developed land within urban areas or along public transport corridors on the edge of the main built-up areas. The Structure Plan also supports the need for increased residential densities and the provision of affordable housing as appropriate.

87. **Planning Policy Statement 1:** Delivering Sustainable Communities lists design as one of the fundamental ways of delivering sustainable development and states that planning authorities should prepare robust policies on design and access. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its present defining characteristics.

88. **Planning Policy Statement 3:** Housing seeks to secure mixed communities with developments incorporating both affordable housing and appropriate levels of housing. Requires housing to be responsive to local need and designed to a constantly high standard responding to local distinctiveness and reflect wider environmental and sustainability considerations.

89. **Planning Policy Guidance Note 4:** Industrial, Commercial Development and Small Firms seeks to encourage continued economic development in a way which is compatible with its stated environmental objectives and gives guidance on a range of issues relating to industrial, commercial and small firms development.

90. **Planning Policy Statement 6:** Town Centres advises local authorities to plan positively for the growth and development of existing centres, by focusing development therein. In addition, PPS6 sets out a number of other material considerations, which may be taken into account in assessing new proposals including physical regeneration, employment, economic growth and social inclusion.

91. **Planning Policy Guidance Note 13:** Transport seeks to integrate planning and transport by reducing the reliance on the motor car, encouraging the use of more sustainable transport choices, reduce the need to travel, and promote accessibility to jobs, shopping, leisure facilities and services by public transport, cycling and walking.

92. **Planning Policy Guidance Note 17:** Planning for Open Space, Sport and Recreation seeks to ensure that provision is made for local sports and recreation facilities (both either through an increase in number of facilities or through improvements through existing facilities) where planning permission is granted for new developments (especially housing).

93. **Planning Policy Statement 23:** Planning and Pollution Control advises on the role of the Local Planning Authority in terms of development and the quality of land, air and water.

94. **Planning Policy Statement 25:** Development and Flood Risk seeks to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest

risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall.

95. Regional Spatial Strategy for the North East (RSS) provides a regional spatial strategy within which local authority development plans and local transport plans can be prepared. It sets out a number of policies and principles including: concentrating the majority of new development in the Tees Valley conurbation – particularly within the core areas- and the main settlements; reducing the need to travel, particularly by private car, by focussing development in urban areas that have good access to public transport, and for cyclists and pedestrians; promoting development that is sympathetic to its surroundings. Specifically Policy 10 requires priority to be given to the regeneration of core areas of the Stockton-Middlesbrough initiative (SMI), both banks of the Tees between Stockton, Middlesbrough and Redcar.

96. In relation to the Tees Valley City Region it states that the development of the Tees barrage has transformed Stockton Riverside and provides for attracting further office, employment uses, housing and an expansion of the university at the Northshore. There is also a major opportunity to link the town centre back to the Riverside. Policy 13 identifies Northshore as one of eight major mixed-use regeneration projects. The supporting text states that these schemes all have the aim of delivering sustainable economic activity and provide development and investment opportunities that will ensure the long-term development and regeneration of the North East. Many of the locations of such schemes accord well with the locational strategy of the RSS, and also help to deliver the objectives of sustainable communities and city region policies. The creation of stylish apartment and family living accommodation, large scale office development, new educational facilities, business incubator units and sectors for quality tourism, culture, retail and leisure offer a unique opportunity to extend, and in many cases exceed, the current North East offering. As well as enriching the experience of people who will work and live in their surroundings, these flagship schemes will provide the catalyst for wider regeneration.

## **Stockton on Tees Local Plan Saved Policies**

### **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 ED4**

Reserves land for the expansion of the University College and for ancillary facilities.

### **Policy EN17**

Within the urban development area, land is allocated at the following sites as appropriate for a range of uses, including industry, commerce, housing, sport, recreation, tourism and education:

- (a) Cleveland Industrial Estate,
- (b) Teesdale, Thornaby;
- (c) Boathouse Lane, Stockton;
- (d) Thornaby Place, Thornaby;
- (e) Yarm Road (East and West), Stockton;

(f) Teesside Retail Park.

**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 REC11**

Designates the North Bank of the River Tees within the site as part of a recreational footpath.

**Policy REC17h**

Permits a public landing point on the North Bank.

**Policy REC18b**

Identifies that a slipway would also be permitted on the North bank.

**Policy REC20**

Identifies a proposed cycle route along the North Bank.

**Policy SH13**

Identifies the land east of The Square and south of Church Road, Stockton for a mixed use and major retail development.

**Policy S15**

Planning permission will be granted for new development or limited extensions for small scale retail use outside the centres listed in Policy S1 provided that:

- (i) The proposal is within defined settlement limits;
- (ii) The facilities intended to serve local needs only, being of a scale appropriate to the locality and being within walking distance of residential areas;
- (iii) The proposal would not give rise to any adverse affect on the amenity of neighbouring properties on account of the area;
- (iv) The proposal would not adversely undrmine the vitality and viability of any village shop or retail centre as listed in Policy S1.

Within major new residential and employment developments, where no similar facilities exist within reasonable walking distance, developers would be expected to provide an element of convenience retail developpet at a scale to be agreed by negotiotion.

**Supplementary Planning Document 3: Parking Provision for New Developments** sets out the Council's standards for parking standards associated with new development.

**Supplementary Planning Guidance 4 (SPG 4)** is concerned with high-density development. The SPG develops the themes set out in it to ensure that flats are built in appropriate locations, are well designed, and add value to the housing stock of the Borough. The guide does not seek to put a blanket ban on flats being built, nor encourage an 'anything goes' policy, but gives guidance to developers about what the Council expects them to produce, as well as to inform the public how and why decisions are made.

### **MATERIAL PLANNING CONSIDERATIONS**

97. The main material planning considerations of this application relate to whether it satisfies the requirements of National and Regional Guidance and Local Plan Policies, the impact of the proposed development on the locality in terms of neighbouring amenity, flood risk, ecology and nature conservation and vehicular access and traffic impact and highway safety.

#### **National and Regional Guidance and Local Plan Policies**

98. National Planning Policy guidance seeks to encourage the efficient re-use of previously developed land within existing urban areas in addition to reducing the need to travel and reinforcing the local economy and community.

99. Planning Policy Statement 3: Housing (PPS3) suggests that development should be at a density of at least 30 dwelling per hectare (dph) net in order to make the most efficient use of the available land. The proposal involves the re-use of existing brownfield land for housing to provide a mix of dwellings including affordable housing. Furthermore RSS advocates the use of previously developed land. The development of new housing in this brownfield location will also contribute to the achievement of previously developed land targets set out in RSS policy 29.

100. In accordance with regional planning policy, the majority of new development should be concentrated within the conurbations. Development in this location is therefore consistent with the regional locational strategy.

101. The site is located within the development limits. Policy HO3 of the local plan indicates that residential development within the limits of development is acceptable provided it meets a number of criteria.

102. The supporting statement states that a mix of housing types, styles and sizes will be provided, comprising of a range of one, two and three bedroom apartments and a mix of family sized dwelling houses. The proposal involves the re-use of existing brownfield land for housing to provide a mix of dwellings including affordable housing and fully accords with national policy which encourages the reuse of previously developed land.

103. The applicant has investigated the likely noise impact of surrounding uses on the proposed residential development. The Environmental Health Manager has considered the proposal and raises no objection on this matter. It is considered that the proposal does not conflict with Local Plan policies GP1 and HO3 in this respect.

104. In terms of the provision of apartments SPG 4 sets out the Council's sequential criteria based approach to assessing an appropriate location for apartments. In terms of location the proposed development is within the limits to development, on previously developed land and within close proximity to the Town Centre and public transport and thus accords with the guidance and the general principles set out in the guidance.



105. The development proposal includes an element of retail and leisure uses (8,050 sqm class A1, A2, A3, A4 and A5). RSS policy aims to reflect Planning policy Statement (PPS6) and RSS policy 6 by focussing the majority of new retail and leisure development within defined urban centres. RSS policy 13 however identifies the site as a major mixed-use brownfield regeneration area, which by its nature could incorporate an element of retail. Whilst part of the site is not located within a town centre location, it is considered that due to the scale and the nature of the development, the development of a retail element is ancillary to the wider development proposal. It is therefore considered that the development of retail uses to complement the wider development proposals does not present an issue of conflict with national or regional planning policy.

106. It is considered that the proposed retail uses will meet the day-to-day needs of residents and workers at Northshore and furthermore the residents and workers will generate significant expenditure upon convenience and comparison goods, a substantial proportion of which will be spent in the Town Centre. It is considered that the regeneration proposal will enhance the attractiveness of the Stockton area and help generate linked trips with facilities in the existing town centre, particularly given that part of the site would actually be located within the Town Centre boundary.

107. A range of employment uses are proposed (88,757 sqm of B1, up to two hotels, a potential health care facility (of up to 8,000 sqm and the relocation of an existing car dealership within the site). The Council's Employment Land Review recognises that Northshore is allocated for a major mixed-use development and is also identified as a priority in the Tees Valley City Region development proposals. The provision of the range of employment uses on a brownfield mixed-use location within the Tees Valley conurbation is consistent with RSS policies 12 and 13.

108. Three businesses have commented about the inclusion of their sites within the application and the applicant has responded as follows. Simon Bailes Ltd has raised concern that the application includes land outside the applicant's control. However, as they have recognised in their letter, it is not unlawful to apply for planning permission on land outwith the applicant's control. Furthermore, all procedures have been properly followed. Secondly they see no planning reason why this site has been included in the application. However, the Northshore development proposals relate to the area of land south of Church Road and in order to ensure a comprehensive redevelopment, this site has been included within the application boundary. Indeed, this site has been identified as part of Northshore for over 10 years, being firstly identified in English Partnerships masterplan in 1999 and subsequently in the Benoy masterplan in 2004. Furthermore, planning permission has previously been granted for an earlier Northshore development, which included this site, in 2002. We understand that Simon Bailes was aware of the Northshore proposals and the fact that this site is included in the masterplan when he purchased the site. Overall, it is important that a comprehensive redevelopment of Northshore is achieved in order to deliver a successful regeneration of this area for the benefit of the public interest.

109. Additionally, Northshore is identified at a regional level in the RSS as a major mixed-use brownfield site and within the Council's publication draft Core Strategy as a key regeneration area. Accordingly a comprehensive approach to its redevelopment is essential to ensure its potential is maximised for both Stockton and the wider Tees Valley. Bringing forward piecemeal developments could prejudice a comprehensive regeneration.

110. Thirdly, their letter considers that there is a greater potential for a more genuine mixed use development including retail, leisure, hotel, conference and/or housing on this site. Very careful consideration has been given to the mix of uses and their location at Northshore and the overall development proposes a truly mixed-use scheme. The leisure and retail uses are mostly focussed within the Riverside Zone in order to deliver an active waterfront, with other retail and leisure uses being located within the Gateway Zone which lies within the town centre boundary and the Heart Zone, adjacent to the Riverside Zones. The residential uses are mostly focussed along the waterfront zones in order to maximise views across the river. The office uses are provided within

the Gateway, Links, Heart and Riverside Zones. The locations for the various uses are considered to be appropriate in the delivery of a sustainable mixed-use development.

111. In respect of the comments from Prestons of Potto and Richard Pickersgill and Sons the applicant reiterates that planning permission can be applied for on land outwith the applicant's ownership and a comprehensive approach must be secured towards regeneration and the redevelopment of Northshore.

112. Comments have been received from the Baptist Tabernacle that the proposed buildings would impact on the church by virtue of their siting and height. The precise location of the buildings within the Gateway Zone together with detailed design will be determined as part of any future reserved matters application but the indicative layout has been designed to ensure that adequate distances are met and thereby negate any adverse overlooking and it is considered that the site could satisfactorily accommodate a residential led mixed use scheme of the type and nature proposed.

113. It is considered that residential development would be compatible with neighbouring uses and subject to careful layout and design in latter stages, would not have an undue adverse impact on the amenity of adjacent land uses. In this respect the development accords with Local Plan policies GP1 and HO3.

#### Flood risk, Ecology and Nature Conservation

114. A flood risk assessment has been undertaken by the applicant who identified that whilst the site is located adjacent to the fluvial element of the river, it is feasible in this location that the tidal effects of the River Tees may have an influence. Only a small part of the site is at risk from flooding and the flood risk assessment has been considered by the Environment Agency and has no objection to the proposal subject to appropriate controlling conditions. A sequential flood risk report has also been prepared which concludes that Northshore is a regionally important regeneration project and development within the flood zones is vital in order to achieve its design objectives and maximise the opportunities of this unique waterfront setting. Furthermore, any potential flood risk can be minimised through appropriate mitigation. It is considered that the application complies with PPS25 sequential and exception tests.

115. An Ecological Statement for site has been carried out and the applicant in respect of Natural England's comments has provided additional information. This has been assessed by Tees Valley Wildlife Trust who concludes that the measures proposed would ensure that the development does not have unacceptable impacts on ecology and is compliant with the Authority's plans and policies for wildlife habitats and species. They recommend that the measures proposed be incorporated into a planning condition.

#### Other Matters

116. The applicant has indicated that they will enter into a Section 106 Agreement to provide a financial contribution for the additional school places should they be required which is acceptable to the Planning and Policy Officer in Education.

117. The proposal includes various community facilities which will likely include the new watersports centre, large-scale floating pontoons and fishing pontoons, a marina, a fitness loop, a riverside route which will provide a suitable route for triathlons, public art, play facilities and public realm and landscaped areas of the highest quality.

118. In respect of space for active and passive play/recreation catering for older children of relative independence (aged 7 years upwards) this space could take any number of possible forms for example adventure playground style, incorporate climbing walls/boulders or be more centred on

skating, skateboarding or BMX. The provision of this is the subject of a Section 106 whereby the parameters will be established and should for any reason the facility could not be provided on site then a commuted lump sum payment would be made by the applicant towards off-site provision.

119. The archaeological report accompanying the application identified the North Shore Pottery and the early shipbuilding as the primary archaeological sites to be considered. These sites occupy the southwest part of the development area and Tees Archaeology agrees that this part of the development area is of significant archaeological interest. Tees Archaeology's preferred option would be to carry out archaeological evaluation of the most sensitive parts of the site prior to planning determination but understand that the developer is investigating options for this archaeological evaluation with their sub-contractor but is also keen to progress the application, carrying forward archaeological requirements as a planning condition. Tees Archaeology recommends the archaeological works be made a condition of the planning consent.

120. In respect of energy and sustainability the Design and Access Statement accompanies the application and sets out a number of options to reduce energy consumption and use energy more efficiently. Potential measures, which are for consideration, include a River Water Strategy, which uses river water energy for heating and cooling of buildings and to feed reverse cycle heat pumps to provide both heating and cooling.

121. Comments have been received from Councillor Fletcher who advises that the scheme should be carbon neutral. The scheme will secure at least 10% of its energy from renewable or low carbon sources and in order to fully reflect the objectives of regional planning policy it is proposed to secure this through a planning condition. Furthermore the site is considered to be a sustainable brownfield site giving access to public transport infrastructure and the selection of a variety of house types and sizes and tenure should ensure a sustainable community is developed. The proposed scheme incorporates a number of sustainable features including a Sustainable Urban Drainage Scheme designed to control the amount of rainwater held by the site, which reduces the sites risk of flooding.

122. The development will achieve at least a very good BREEAM rating for commercial development and will achieve the ECO Homes Standard of very good for the residential development. It is proposed to secure this through a planning condition.

123. Comments have been made by Friends of Tees Heritage Park stating that they are in favour of the overall objectives of the proposal and that what is currently proposed is well considered and commendable. They would welcome more integration between the Northshore and the river maybe in the form of a water basin including some river based activities with a mini harbour.

124. It is considered that the scheme seeks to fully utilise the river including a large scale floating pontoons and a new marina including a jetty with 30 no. moorings. Also proposed are new facilities for the River Tees Watersports Centre and Castlegate Marine Club offering a range of water sports including rowing, jet skiing and canoeing etc. The scheme also includes a water playground in the form of a high quality series of terraces and sculptural landforms with potential access into the river itself. Whilst a large basin is not being created to bring water directly into the site, the masterplan, through the design and orientation of the buildings and open spaces provides vistas of the river from within the site.

125. The River Tees Watersports Centre has made comments regarding the rebuilding of their facility and would wish to see the new facilities completed and handed over prior to removal of the existing facility. It is proposed to secure this through a planning condition.

126. In terms of site contamination previous reclamation and infrastructure works have been undertaken and the Environment Agency and Environmental Health have no objection to the

proposal subject to appropriate controlling conditions. Accordingly the proposal does not conflict with Planning Guidance in respect of contaminated land.

#### Means of Access, Parking and Traffic Issues

127. The application is accompanied by a Transport Assessment in order to satisfy the Council that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network.

128. The detailed parking arrangements will be considered at the reserved matters stage and it is considered that the site can satisfactorily accommodate the level of development proposed.

129. The Baptist Tabernacle have raised concerns regarding the loss of car parking as a result of the redevelopment of the public car park in the gateway Zone. It should be noted that the redevelopment of the car park has previously been agreed through the approval of the Benoy Masterplan and Eastern Gateway planning consent. It is considered that alternative parking is available. Parking is provided at Splash, Bath Lane and Riverside and the adjacent council car park at the rear of Municipal Buildings and west of the Tabernacle is available on evenings and weekends for public parking. Furthermore the Northshore proposal provides up to 3,500 spaces a number of which will be publicly available.

130. Comments have been received from Councillor Suzanne Fletcher regarding access to public transport. A detailed assessment of public transport access to the North Shore site has been undertaken using the Accession modelling tool. This has provided an accurate assessment of the associated strengths and weaknesses of the site and will help inform future decisions on public transport enhancements, specifically the reinforcement of bus services and the provision of a North Shore Shuttle bus.

131. It has been identified that improvements to the bus service provision are required and there is a commitment to initially provide a Shuttle Bus service through the site but ultimately to reinforce an existing bus service by diverting it through the North Shore site. This is the subject of a Section 106 agreement.

132. Bus stops are already in place within North Shore (4 No.) and on Portrack Lane (2 No.) but additional facilities are required at each location and the provision of low floor platforms and enclosed bus shelters if not already provided and to install real time information and CCTV at all stops is secured from the developer via the section 106 agreement.

133. The Head of Technical Services concludes that the Transport Assessment and Travel Plan for North Shore have demonstrated that sufficient road improvements and sustainable transport enhancements are proposed to fully mitigate against the impact of the development. This is not only through road junction improvements at the North Shore Gyratory and a contribution to improvements at the Riverside / Churchyard Link Road roundabout but also through Travel Plan initiatives and proposals to improve the public transport infrastructure.

#### **CONCLUSION**

134. It is considered that the principle of residential mixed use development is acceptable in this location. Overall the nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on ecological habitat and flooding. The proposed access and highway arrangements satisfies the requirements of Head of Technical Services and the proposal is in accordance with relevant planning policy and guidance and therefore the recommendation is to approve the application subject to the applicant entering into a Section 106 Agreement and the imposition of the conditions set out in the report.

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**Financial Implications** – As report

**Environmental Implications** – As report

**Community Safety Implications** – As report

**Background Papers** – Stockton on Tees Local Plan, SPD 3, SPG 4, PPS1, PPS 3, PPG4, PPS6, PPG13, PPG17, PPS23 and PPS25.

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

**Ward**                      **Stockton Town Centre**  
**Ward Councillor**      **Councillor D. W. Coleman**

**Ward**                      **Stockton Town Centre**  
**Ward Councillor**      **Councillor P. Kirton**

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