

DELEGATED

AGENDA NO 6

PLANNING COMMITTEE

DATE : 22 July 2009

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

09/1057/FUL

104 Yarm Lane, Stockton-on-Tees, TS18 1LG

New food store with associated car parking and landscaping

Expiry Date 7 August 2009

UPDATE REPORT

1. Following the submission of amended site layout plans and highway and traffic related information, additional comments have been made from the Head of Technical Services. Additional comments are summarised as follows;

Highway related matters

2. The revised Transport Assessment (TA) addresses points previously raised. Traffic movements associated with this proposal have been considered (including right turns out of the site) and found to be acceptable, however, the right turn lane into the site is required. The submitted plan ALDIYARMLANE.1/03 is not acceptable, as the lane widths do not meet our standards (3m) however we consider that a suitable layout can be achieved. Subject to the comments below we raise no objections.
 - A full Travel Plan should be submitted and agreed with the SBC Sustainable Transport officer prior to the store opening.
 - The applicant must enter into a s278 agreement regarding the construction of the new access and the introduction of a right turn lane on Yarm Lane which must be completed before construction works begin. Technical Services Consultancy will design the highway layout in accordance with SBC standards.
 - A contribution of £20k to the Bus Majors Scheme by way of an s106 agreement in order to fund a new bus stop on Yarm Lane in the vicinity of the site is required.

Landscape & Visual Comments

3. Regarding the revised plan ref 0116/AL(00)04 rev D, I make the following comments:
 - The revised plan shows some frontage improvements along Yarm Lane with an increased width of planting being provided which matches more closely the existing planting on the adjacent site at 106 Yarm Road. This should now provide for an adequate area for landscaping but I would again stress the need for root barriers to allow for the planting of specimen trees on this frontage. The wall/railings detail will match those located at 106 Yarm Road to provide continuity in the street scene.
 - To ensure continuity in the street scene the wall/railings detail must match those located at 106 Yarm Road. The northern boundary should comprise of a brick wall with pillars and metal railings in an attractive finish – art work should be built into the railings to improve the visual aspect of the boundary and reduce the impact of the building when viewed from the adjacent residential areas which lie in close proximity to the rear of the site.
 - Following our discussion I understand the need to reduce crime in this area by not allowing a footpath access into the site from Worthing Street.
 - The following comments would still apply from the previous memo:

The details of timber boarding shown on drawing 0116/AL(00)06 presents a confused and fussy boundary treatment along side existing brick walls and railings. If the existing brick wall is in a poor condition here we suggest the face of the wall is rendered which would suit the surrounding enclosure treatments more appropriately.

MATERIAL PLANNING CONSIDERATIONS

4. Based on comments made by the Head of Technical Services, the proposal is considered to have adequately detailed the impacts of traffic associated with the development as well as adequately provided for the greening of the site. However, were the application to be recommended for approval, conditions would need to be imposed in respect to the following;
 - *A full travel plan to be submitted and agreed in writing with the LPA prior to the store opening.*
 - *The applicant entering into a Section 278 agreement to carry out changes to the highway layout of Yarm Lane in order to provide a protected right turn into the site.*
 - *A hard and soft landscaping scheme, its submission, implementation and future maintenance.*
 - *Boundary enclosures scheme to be agreed.*
5. In addition to the above conditions, the applicant would need to enter into a section 106 agreement for the provision of a new bus stop on Yarm Lane.
6. Whilst the above are considered to overcome the highway and landscape related matters, it remains to be considered that as a result of the scale of the use in this location and the appearance of the development and its impact on its surroundings, the proposal is contrary to both local and national planning policy.

Recommendation

7. That the application be determined in accordance with the recommendation of the main report although omitting reason for refusal reference b. Recommended reasons for refusal are therefore as follows;
 - a. ***In the opinion of the Local Planning Authority the applicant has failed to satisfactorily demonstrate that the proposed development is of an appropriate scale to the area within which it is located, that there is a specific need for a retail store of this scale and has failed to satisfactorily assess alternative sites on a sequential basis. It is therefore considered that the proposal is inappropriately located and would result in an elevation of the centre within the retail hierarchy outlined in policy S1 and would detrimentally harm the vitality and viability of Stockton Town Centre being contrary to PPS 6, Regional Planning Guidance and saved Policies S1 and S2 of the Stockton on Tees Local Plan Alteration No.1***
 - c. ***In the opinion of the Local Planning Authority, the proposed development, by virtue of its design, appearance, form and layout, would detract from the character of the street scene and setting of the adjacent listed building, being contrary to Saved Policies GP1 and EN28 of the adopted Stockton on Tees Local Plan and PPS1 and PPG15.***

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Financial Implications – As reports

Environmental Implications – As reports

Legal Implications – As reports

Community Safety Implications – As reports

Human Rights Implications –

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

Background Papers

Planning Policy Statement 1: Delivering Sustainable Development and Companion Guide:
Planning and Climate Change
Planning Policy Statement 6: Town Centres
Planning Policy Guidance 15: Planning and the Historic Environment
Regional Spatial Strategy July 2008
Adopted Stockton on Tees Local Plan (June 1997)

WARD AND WARD COUNCILLORS

Ward	Stockton Town Centre
Ward Councillor	Councillor D. W. Coleman & Councillor P. Kirton