

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 12 AUGUST 2009

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

09/1215/FUL

Wynyard Park, Wynyard, Billingham

Revised application for construction of hotel and pub/restaurant.

Expiry Date 21 August 2009

SUMMARY

The application seeks full planning permission for the erection of a 99 bed "Express by Holiday Inn" Hotel together with a pub /restaurant on a 1.3 hectares site located in the south-eastern part of Wynyard Business Park immediately east of the existing roundabout junction and spine road. Outline planning permission (96/2069/P) for B1, B2 and B8 uses was granted in January 1997 for the Wynyard Park site which has an overall area of 75 hectares and which includes this site. A Masterplan for the site was agreed in 2004 and revised in 2007. Detailed approval for Business uses has subsequently been granted and development started with significant completions. This application forms part of the outline approval and therefore has consent for business use.

The application is a resubmission following withdrawal of an earlier very similar application so that the applicant could address concerns about the layout and traffic impact. Since then an application has been submitted on other land on the Business Park, but within Hartlepool for a new hospital.

The application is accompanied by detailed documents including Planning Support Statement, a Transport Statement, Design and Access Statements, Flood Risk Assessment, Ecological Assessment and a Ground Investigation report. It also has a statement setting out the pre-application consultations carried out with local businesses and residents.

Consultations have been carried with all the statutory bodies and no significant concerns have been raised provided recommended conditions are attached to any planning approval. However, both the Highways Agency and Hartlepool Borough Council has requested the consideration of a financial contribution from the developer towards a highway improvement scheme, which seeks to mitigate against this predicted congestion and also facilitate other developments in the area including this proposal.

Grindon Parish Council is opposed to the development on traffic grounds and the Ward Councillor has also objected to the proposal on grounds of scale, visual impact, no proven demand for the development, sustainability and traffic safety.

Neighbours have also been consulted and residents of Wynyard (10 letters/emails from eight addresses) have raised similar concerns to the ward Councillor. They are particularly concerned about the traffic impact given existing congestion problems at peak time. Other concerns are also

raised including the loss of open space, noise, impact on the character of the area and potential for anti social behaviour.

In terms of planning policy the proposal has been assessed against national, regional, strategic and local planning policies. In considering the proposal against all of these policies, it is considered there is no fundamental conflict. The main concern is that the development was a town centre use in an out of centre location. However, it is argued by the applicant and agreed that if the Wynyard Business Park is to develop to its full potential as an area identified in both the Regional Spatial Strategy and the Local Plan as a key employment location for high quality business development, it requires other facilities such as a hotel with food and beverage provision as an ancillary use. The applicant has quoted a number of other business parks where these sorts of facilities have been provided. The original overarching master Plan for Wynyard also included a proposal for a hotel north of the A689.

The proposal has also been assessed for compliance with the Master Plan and Design Guide approved for Wynyard. As submitted, the scheme is not totally satisfactory albeit in a relatively minor way and fails to fully meet the high standards set for Wynyard. However, only minor changes are needed and these can be secured by means of planning conditions.

The principal concern with the application is traffic and highway safety and is of particular concern with local residents. The resubmitted planning application has addressed these concerns and provided an updated Transport Statement. No objection in principle is raised either by the Head of Technical Services or by the Highways Agency. However, with the major developments going forward in the area, including the proposed new hospital, the Council and others, are seeking to develop a highway improvement scheme that would seek mitigate against the predicted congestion and also facilitate other developments in the area. To this end both Hartlepool Borough Council and the Highways Agency request the Council to seek a financial contribution from the developer towards this scheme. At present the scale of any such contribution is not known though the Highways Agency has appointed consultants to assist in the work.

It should, however, be recognised that the site already has outline approval for Business uses and that the development now proposed will generate less traffic than the approved use.

Concerns raised about highway safety on the A689 from attempts by pedestrians to cross the road from Wynyard Village to access the pub/ restaurant and hotel can be resolved by the provision of improved footways and the provision of a crossing of the road. Again the provision can be secured by planning conditions.

In terms of design and visual impact, the building will be set in a landscape setting and will be some 250 metres from the nearest residential properties on the other side of the A689. The design of the buildings is appropriate to their setting in a business park.

There are no ecological concerns with the development and the sustainability of the development is agreed though conditions will be needed to reduce carbon emissions through energy conservation. The implementation of a Travel plan in conjunction with the Travel Plan for the rest of the estate will also help in this regard.

All other matters raised by residents and others have been considered, however it is considered the provision of a hotel and pub/restaurant in this location on a quality business park is acceptable. Approval is therefore recommended but subject to conditions and potentially a financial contribution from the applicant. An update report will be prepared to cover that matter.

RECOMMENDATION

Planning application 09/1215/FUL be Approved subject to the following conditions:-

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>22 May 2009</i>
<i>SBC0002</i>	<i>22 May 2009</i>
<i>SBC0003</i>	<i>22 May 2009</i>
<i>SBC0004</i>	<i>22 May 2009</i>
<i>SBC0005</i>	<i>22 May 2009</i>
<i>SBC0006</i>	<i>22 May 2009</i>
<i>SBC0007</i>	<i>22 May 2009</i>
<i>SBC0008</i>	<i>22 May 2009</i>
<i>SBC0009</i>	<i>22 May 2009</i>
<i>2070/02/E</i>	<i>31 July 2009</i>
<i>2535/301</i>	<i>22 June 2009</i>
<i>2535/302</i>	<i>22 May 2009</i>
<i>2535/303</i>	<i>22 May 2009</i>
<i>2535/304</i>	<i>22 May 2009</i>
<i>1</i>	<i>22 May 2009</i>

Reason: To define the consent.

- 02 ***Prior to commencement of works on site, a detailed Travel Plan shall be submitted to, and approved in writing by the Local Planning Authority. The Travel Plan shall make include:***
- Firm commitments to the implementation of measures to reduce the traffic impact of the development;***
 - Links to the wider Wynyard Park Travel Plan;***
 - Commitment to provide a Travel Plan Co-ordinator and details of their time and budget allocation for the implementation and promotion of the Travel Plan;***
 - Specific trip generation and mode split targets and timescales for achieving these; and***
 - Details of proposed monitoring strategy.***

The Travel Plan shall be implemented prior to occupation and for the lifetime of the development in accordance with the agreed Travel Plan document, and an approved travel survey shall be undertaken within six months of occupation (and within a neutral month). Annual surveys shall thereafter be undertaken (at the same time of year as the initial survey) and the results of these shall be provided to the local planning authority within one month of being undertaken. Should the development fail to meet its targets, corrective measures shall be agreed with the local planning authority and implemented to their satisfaction.

Reason: In the interests of reducing the traffic impact on the Strategic Road Network and at the Direction of the Secretary of State.

03 *Any on site vegetation clearance shall avoid the bird breeding season (March to end of August), unless the project ecologist undertakes a checking survey immediately prior to clearance and confirms to the Local Planning Authority that no breeding birds are present.*

Reason: To conserve protected species and their habitat.

04 *No development approved by this permission shall be commenced until details of a surface water drainage scheme including explanatory statement have been approved by the Local Planning Authority. The scheme shall be implemented prior to the construction of impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.*

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

05 *No development approved by this permission shall be commenced until it has been confirmed that the site-wide surface water attenuation system has been constructed and is operation to its design standard.*

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

06 *No development shall be occupied until details of the long term management and maintenance responsibilities for the site drainage scheme and site-wide surface water attenuation system have been agreed in writing with the Local Planning Authority.*

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

07 *Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.*

Reason: To prevent pollution of the water environment.

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

Reason: In the interests of protecting occupants from road traffic noise.

09 *The drainage system to the restaurant premises shall be provided with a suitable grease trap so as to prevent the discharge of grease into the public sewer.*

Reason: To ensure a satisfactory form of development

10 *Details of any extract ventilation or fume extraction system, including the position of ventilation, fume or flue outlet points and the type of filtration or other fume*

treatment, to be installed and used in the restaurant in pursuance of this permission shall be first approved by the Local Planning Authority and installed before the development hereby permitted commences and thereafter retained in full accordance with the approved details. The ventilation and extraction system shall be operated and maintained in accordance with the manufacturers recommendations including the frequency of replacement of any filters.

Reason: To ensure a satisfactory form of development

- 11 All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working unless otherwise agreed with the Local Planning Authority.**

Reason: In the interests of the amenities of the area

- 12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.**

Reason: To ensure any contamination found on the site is properly dealt with in the interests of the amenities of the area

- 13 Notwithstanding the layout shown on Drawing No 2070/02/E, the layout shall be amended in accordance with a scheme to be agreed in writing with the Local Planning Authority to provide the necessary width of space for suitable landscape treatment between the hotel and pub/restaurant car parks. The development shall be implemented in accordance with the approved scheme.**

Reason: to ensure sufficient space for landscaping is provided in the interests of visual amenity.

- 14. Prior to commencement of development for each individual part of the development (the parts of the development being defined as pub/restaurant and Hotel) full details of the proposed hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the particular part of the development commenced or prior to the occupation of any part of the same part of development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.**

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

- 15. Prior to the commencement of development for each individual part of the development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected on that part and any proposed mounding and or earth retention measures (including calculations where such**

features support the adopted highway) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Attention should be given to existing vegetation and surrounding landform.

Reason: To ensure that earth-moving operations, retention features and the final landforms resulting are structurally sound, compliment and not detract from the visual amenity of the area, the living conditions of nearby residents or integrity of existing natural features and habitats.

- 16. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, prior to the commencement of each individual part of development, details of the enclosure for that part of the development shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the relevant part of the development hereby approved is occupied.**

Reason: In the interests of the visual amenities of the locality.

- 17. Prior to the commencement of each individual part of the development, details of any street furniture associated with that part of the development shall be submitted to and approved in writing by the Local Planning Authority Such street furniture as agreed shall be erected before the development hereby approved is occupied.**

Reason: In the interests of the visual amenities of the locality.

- 18. Full details of the method of external illumination**

- a) siting,**
- b) Angle of alignment;**
- c) light colour**
- d) luminance**

of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced for each individual part of the development and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenities of

- a) adjoining residents**
- b) Highway Safety**
- c) Protection of sensitive wildlife habitats.**

- 19. Prior to commencement of development for each individual part of the development (the parts of the development being defined as pub/restaurant and Hotel) full details of Soft Landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following:**

- a) commencement of the development**
- b) or agreed phases**
- c) or prior to the occupation of any part of the development**

and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

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

- 20. A soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the individual parts of the development.***

Landscape maintenance shall be detailed for a minimum of 5 years from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local Planning Authority failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation.

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

- 21. The hotel or pub/restaurant hereby approved shall not be brought into use until footway extensions and an uncontrolled crossing point to the east of the roundabout has been provided in accordance with a scheme to be approved in writing with the Local Planning Authority***

Reason: in the interests of highway safety

- 22. The Development shall be carried out in accordance with the Council's Design Guide and Specification and Supplementary Planning Document 3: Car Parking in New Developments***

Reason; in the interests of highway safety

- 23. Notwithstanding the submitted plans, prior to commencement of development hereby permitted, details of a scheme for the provision of secure covered cycle storage spaces shall be submitted to for consideration and approval by the Local Planning Authority. The approved scheme shall be implemented in full in respect of the individual unit and the spaces made available for use upon occupation of each building hereby permitted and thereafter for the life of the building hereby permitted.***

Reason: In order to provide cycle storage, to facilitate a sustainable method of transport.

- 24. Notwithstanding the submitted plans, prior to development commencing a scheme for providing cycleway links within an external to the site shall be submitted to and approved in writing with the Local Planning Authority. The provision of the agreed links shall be implemented in accordance with the agreed scheme.***

Reason: to ensure the safe provision of routes for cycle users and to facilitate a sustainable method of transport.

- 25. Notwithstanding any description of the materials in the application prior to the commencement of construction for each individual building hereby approved, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be approved in writing by the Local Planning Authority.**

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

- 26. Before the use commences a waste management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme, which shall thereafter be permanently maintained, shall include details of the method and location of refuse storage, together with arrangements for refuse disposal. All refuse shall be properly contained within the approved facility and shall not be stored or deposited elsewhere unless previously agreed in writing by the Local Planning Authority.**

Reason: To ensure the management of waste on the site in the interests of highway safety and local amenities

- 27. No development shall take place until the Local Planning Authority has approved in writing details of the use of renewable energy measures to generate 10% of electricity demand. The approved scheme shall be implemented and brought into use and remain in place and operated in perpetuity unless otherwise agreed in writing with the Local Planning Authority.**

Reason: In order to comply with the sustainable development requirements of the Regional Spatial Strategy

- 28. No development shall take place in the areas identified on Drawing No 2070/02/E Control as "No development zone" unless otherwise agreed in writing with the Local Planning Authority**

Reason: In the interests of visual amenity and to comply with the requirements of the approved Master Plan and Design Guide.

HEADS OF TERMS

Possible financial contribution by the developer towards a highway improvement scheme that would seek mitigate against the predicted congestion and also facilitate other developments in the area. Amount to be determined

The proposed development has been considered against the policies and documents identified below and it is considered that the development is consistent with the revised Masterplan, is well designed with appropriate landscaping and will not have any adverse impact on local amenities. The highway or traffic concerns have been satisfactorily addressed. Residual concerns about minor changes to the layout, additional planting and boundary treatments can be resolved through the imposition of appropriate planning conditions and there are no material considerations which indicate otherwise.

PPS 1 "Delivering Sustainable Development"

PPG 13 “Transport”
PPG 4 “Industrial, Commercial Development and Small Firms”
PPS 6 “Planning for Town Centres”
PPS 9 “Biodiversity and Geological Conservation”
PPG 13 “Transport”

Regional Spatial Strategy (2008) policies
Policies, 20, 38, 39 and 40

Tees Valley Structure Plan policy EMP6 (Business Parks and Prestige Employment Development)

Stockton on Tees Local Plan 1997 policies:

GP1 General Principles
S2 Development outside of Town Centres
IN4 Prestige Sites
TR15 Highway Design and Parking

BACKGROUND

1. Outline planning permission (96/2069/P) for B1, B2 and B8 uses was granted in January 1997 for the Wynyard Park site, an area of 75 hectares. All matters of detail were reserved for future approval. A similar approval was granted for the rest of the estate falling within the adjacent Hartlepool Borough area. The outline application has not been fully implemented and an application was made to Stockton and Hartlepool Councils under section 73 of the Town and Country Planning Act 1990 to vary the condition attached to the grant of planning permission in 1997. Approval of these applications by Stockton and Hartlepool Borough Councils in April and June of 2000 respectively, has served to extend the period for submission of reserved matters until April 2010.
2. One of the conditions of the 97 permission (7) required that no buildings within the business park should cover more than 25% of the area of any one development plot. A phase 1 Masterplan has been agreed in September 2004 in accordance with condition 6 of the planning approval. A revision of that Masterplan was agreed in 2007.
3. Some limited development on the site has already occurred including the provision of an access road, the NG Bailey offices and the Lion Court building. In July 2007 reserved matter approval was granted for the erection of B1/B2/B8 units with a total floorspace of 11,149 m² (120,000 sq ft) on part of the estate located immediately east of the NG Bailey site (application No 07/1218/REM). Work on the construction of these units, known as the TV120 site is virtually completed. A further reserved matter approval for the land to rear for the erection of 5 No warehouses with ancillary office space on part of the estate located immediately north of the NG Bailey site and the TV120 site was granted in 2008. The site formed the bulk of the remaining underdeveloped area with an extant outline planning permission for B1, B2 and B8 uses
4. An application for reserved matters approval for the adjoining land in Hartlepool for a business park to accommodate 275,205 sq m of business (B1) floorspace was approved by Hartlepool Borough Council and following the signing of a section 106 agreement the approval was issued in April 2008. Your officers were involved in discussions on that development to ascertain the Council's interests are protected and to that end agreement was reached for on funding for the signalisation of the roundabout entrance on the A689,

the A19/A689 junction and potentially a High Occupancy Vehicle lane on the west bound carriageway of the A689.

5. In August 2008 an application was submitted seeking full planning permission for the erection of a 99 bed "Express by Holiday Inn" Hotel together with a pub /restaurant on a 1.3 hectares site located in the south-eastern part of Wynyard Business Park immediately east of the existing roundabout junction and spine road. Significant concerns were raised by statutory consultations with the regard to the traffic and road safety impact and that the layout did not fully comply with the approved design guide for the estate. Consequently the application was withdrawn in order that the applicant could fully assess these concerns. The current application is a resubmission of that proposal.
6. More recently an outline application for hospital development with associated access and ancillary uses including on-site car parking and energy centre has been submitted to Hartlepool Borough Council on land in Wynyard Park within that authority's area. Stockton on Tees Borough Council has been consulted on the proposal (09/1517/AAC), as the adjoining authority and the matter will be reported to Committee in due course.

SITE AND SURROUNDINGS

5. The application site extends to 1.3 hectares and is located in the south-eastern part of Wynyard Business Park immediately east of the existing roundabout junction and spine road. It is an undeveloped part of the estate and is open to view from the A689 directly to the south. It currently has outline planning approval for B1, B2 and B8 uses as part of the overall Wynyard Business park approval. At present the site has no direct vehicular access though the approved Master Plan for the estate does indicate an access road north of the application site from the spine road. Furthermore this access is also, in part, the subject of separate planning application approved by committee last November (application No 08/1410/FUL) for the dualling of spine road. That permission was subject to a 106 agreement which has yet to be signed. Also to the north of the site running east/west is a high-pressure gas main, which has a 50m easement line.

PROPOSAL

6. The application seeks full planning permission for the erection of a 99 bed "Express by Holiday Inn" Hotel at the eastern end of the site together with a pub /restaurant in a separate building on the western side of the site. The buildings have been sited to avoid intruding into the gas main easement line. The application site boundary includes a non-development zone along its southern edge some 10m wide, which is indicated as being for low level planting. Beyond this area is a 30m strip of land between the site and the A689, outside of application area, which is diagrammatically indicated for planting. This area already contains some planting and mounding which is to be retained.
7. The proposed hotel will be orientated primarily north/south and is on four floors but with a feature tower housing plant equipment, stairwell and lift on the southern elevation. The entrance will be from the west off the car park will and will have a curved canopy feature. This curved motif is replicated on the eastern side of the building with the reception/lounge area having a curved feature wall.
8. The materials to be used for the hotel are indicated as "light coloured architectural masonry" but including buff coloured and red brickwork on parts of the elevations.
9. The hotel will have its own car park though access to it is shared with the proposed public house/restaurant. Some 106 spaces will be provided which includes 6 disabled spaces.

10. The proposed public house follows a completely different design. Instead of a modern imposing building the design seeks to reproduce a more rural appearance of a two 2-storey houses with a cottage linking the two elements. Traditional finishing materials are to be used including a render and brick finish to the building's walls with tiled pitched roofs. The first floor will provide staff accommodation and public toilets.
11. It will have some 65 parking spaces including 3 disabled spaces.
12. Submitted with the application is a Planning Support Statement, a Transport Statement, Design and Access Statements, Flood Risk Assessment, Ecological Assessment and a Ground Investigation report.
13. The Planning Support Statement also includes a 'Statement of Community Involvement' highlighting that the applicant carried out a public consultation exercise which included a letter drop to all business and residents in the vicinity of the development site advising them of the proposed development, the placing of site notices and a newspaper advert to advise of the a public exhibition of the development scheme, writing to the Parish Council and holding a public exhibition of the scheme within the Wynyard Rooms on the Wynyard Business Park. Four persons attended the exhibition and all were in support of the proposal though issues of traffic generation and boundary treatment were raised.

CONSULTATIONS

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

14. Councillor J Gardner

"I would strongly object to this proposal for a number of reasons. The mass and scaling of this proposal exceed the tree line in the vicinity and shows a 4 storey building set next to the A689. The building does not blend with the surrounding area and is not well designed. The land, although not on green belt, has no existing buildings so removes more green space from our natural area. There is no proven demand for an additional public house and hotel and no reasonable access apart from having to drive. There are no public transport links, no footpaths or bridges planned so defeats any carbon reduction schemes we have in place as all visits will be by motor vehicle. If anyone in the local area planned to walk they would be risking their lives as they would have to cross the A689 – even worse at night."

15. Parish Council

"Grindon Parish Council object to the application as the revised plans have now increased the size of the development considerably and our concerns are now in relation to the increased traffic flow to A689 as a result of this development we also note to date no revised road scheme has been submitted in relation to developments on this site which include hospitals and a 6000 acre business park."

16. Environmental Health Unit

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

. *Noise disturbance from adjacent road traffic*

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

. *Drainage - grease trap*

The drainage system to the premises shall be provided with a suitable grease trap so as to prevent the discharge of grease into the public sewer.

Odour nuisance

Details of any extract ventilation or fume extraction system, including the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment, to be installed and used in the premises in pursuance of this permission shall be first approved by the Local Planning Authority and installed before the development hereby permitted commences and thereafter retained in full accordance with the approved details. The ventilation and extraction system shall be operated and maintained in accordance with the manufacturers recommendations including the frequency of replacement of any filters.

Construction Noise

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

Beer Garden/ Smoking Area

Food and drink shall not be consumed in the external seating/ smoking area after 23:00. There shall be no music played in the external seating/smoking area, and no use of lighting likely to cause a nuisance to adjacent premises. Doors to the external area shall be fitted with a lobby and or self-closing devices to prevent the ingress of smoke and egress of noise. The sides of shelters used for smoking shall be maintained so as not to be enclosed or substantially enclosed.

Unexpected land contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.”

17. Head Of Technical Services (Urban Design)

“General Summary

Whist Urban Design supports this revised application we request that a condition is placed on any approval that notes ‘notwithstanding the layout provided that the applicant revises the layout to create the necessary space for suitable landscape treatment without loss of car parking provision’.

The detail to support this comment and other considered information is noted below.

Urban Design: Highways Comments

The Development should be in accordance with the Council's Design Guide and Specification and Supplementary Planning Document 3: Car Parking in New Developments.

A Transport Statement has been provided for the development. This has been justified on the development having a pub of just above the threshold of 600m² (682m²) and a hotel with less than 100 bedrooms (99 are proposed). It is argued that the two elements have different traffic generation profiles and there is no need to consider them together.

A Transport Statement was accepted for the previous application. Therefore there is no objection to this Transport Statement.

Existing 24 hour traffic flows on A689 are 22,400 in both directions with average 2 way peak traffic flows of 2102. This development proposes the following trip rates:

Am N/A

Pm 31 arrivals 20 departures

This site already has an extant B1 permission that has the following proposed traffic generation:

*Am 220 arrivals 33 departures
Pm 13 arrivals 119 departures*

The hotel/pub development clearly has less traffic impact than the B1 offices in peak hour periods and is therefore acceptable in traffic terms.

Links to cycleways at Castle Eden Walkway and at A19/A689 Interchange currently exist. There will also be cycle trips to the leisure facilities from local residential areas. A suitable cycle link to Wynyard Village is required to enhance sustainable travel to the site.

There has been one accident causing serious injury in the last three years along the A689 in the vicinity of this development. It should be noted that there is virtually no crossing movements of traffic, cycles or pedestrians at present due to the low scale of development at Wynyard Park. Increased activity, particularly of pedestrians will significantly increase the risk of accidents causing serious injuries, therefore footway extensions and an uncontrolled crossing point to the east of the roundabout is necessary to increase the safety of highway users. This should be secured by a Grampian condition and be carried out as a S278 agreement with the Highway Authority.

The development requires a Travel Plan to encourage the use of sustainable transport modes, this should be implemented prior to occupation in order to influence travel behaviour to the site and detail what measures will be included, set out targets and a monitoring strategy. The Travel Plan should also make reference to the Travel Plan for the Wynyard site as a whole.

The development proposes 171 car parking spaces including 9 spaces for disabled drivers which is acceptable and in accordance with the maximum standards detailed in SPD3 of 1 space per 5m² public floor area for the pub and 1 per 2 rooms and 1 per 5m² public floor area for the hotel. The plan however only indicates 64 spaces for the pub and 106 for the hotel.

The site plan indicates cycle parking for 16 bicycles adjacent to the main entrance to the hotel; this is a shortfall on the current standards as 43 spaces are required for both the hotel and pub. It is recognised that the potential for cycling to the site is limited due to the surrounding catchment area and lack of facilities on the highway network, however the cycling provision should be reviewed in line with the implementation of the travel plan. All cycle parking facilities must be covered and secure.

The site layout is acceptable in terms of manoeuvrability and reversing space. No refuse stores however are indicated on the site plan, the applicant should indicate locations for refuse stores and details of how refuse collection will be collected including the provision for collection of recycling materials.

A turning area is proposed to the rear of the hotel, it should be demonstrated that this turning facility is of sufficient size to accommodate appropriate vehicles.

The site plan indicates barrier controlled car parking to the public house car parking area, the need for such control is not explained and it should be detailed how this control system will operate.

The access is taken directly from a local service road that leads to the Glenarm Road roundabout and is outside the red line boundary, it is therefore assumed that this access is existing and provided directly for development of this site.

A footpath link is indicated from the cycle park area towards the public house. This link then appears to cease within the boundary of the public house application. It is recommended that a footpath link between the buildings is introduced in order to maximise safe pedestrian movements around the site.

I therefore have no objection to the proposal subject to clarification of the above points, the provision of an acceptable travel plan and the applicant entering into a S278 agreement to provide footpath links adjacent to the A689 roundabout.

Urban Design: Landscape & Visual Comments

The documents submitted with the revised application for the erection of a hotel and pub restaurant at Wynyard Park have been reviewed and the following comments are made:

1. As noted in response to the previous application (08/2521/FUL) the Wynyard Business Park – Design Coding and Control (Design Guide) requires a 10m wide limit of developable area from the plot boundary with adjoining plots. One of the purposes of this 10m wide strip is to carry out meaningful planting between plots incorporating woodland mix species. It was previously agreed that this application was to provide 5m of the planting and the adjacent site would provide the other 5m (10m in total). However, it is noted that whilst the site plan submitted with this revised application still provides a 5m wide “No Development Zone” within the site boundary it also illustrates the entrance to the adjacent plot moved further away. Can we request that if the adjacent entrance is indicated that the remaining 5m of the “No Development Zone” also be indicated? Whilst the balance of the 10m “No Development Zone” is on the adjacent plot and outside of the red line boundary it is under the control of Wynyard Business Park.
2. As noted in response to the previous application (08/2521/FUL) the landscaping strip separating the pub and hotel plots is to represent the division between individual plots. The design guide indicates a division of 10m however a 5m strip would be acceptable given that they are similar uses. This, therefore, requires an increase of 2m from the plan.

While a landscape proposal plan has been submitted with the application and is generally acceptable the space for implementing the work is below our recommendation as noted above.

To conclude, whilst we support this revised application we request that a condition is placed on any approval that notes ‘notwithstanding the layout provided that the applicant revises the layout to create the necessary space for suitable landscape treatment without loss of car parking provision’.

If consent is granted other conditions should be applied. Suggested wording is provided in the informative section at the end of this memo. These conditions include, all landscape detailing, including details of planting as the area for planting has not yet been agreed.”

18. Highways Agency

The agency comments:

“As you are probably aware, due to both existing traffic and committed development traffic, the A19 at Wynyard is predicted to experience significant congestion in the future. As such, the Agency, working with the JSU and Stockton and Hartlepool Councils is seeking to develop a highway improvement scheme which would seek to mitigate against this predicted congestion and also facilitate other developments in the area (such as the application currently under consideration).

The Agency would therefore request that, should the Council be mindful to approve the application, it would enter into a Section 106 agreement with the developer to secure a financial contribution towards the wider scheme. The Agency is currently in discussions with the JSU and your highway officers to determine the level of contribution that would be appropriate, and we will be in touch regarding this in due course.

In addition to the S106 financial contribution, the Agency would also require a Travel Plan to be developed and implemented which would seek to reduce the traffic impact of the development (in line with government guidance), and I have attached a planning condition to that effect. The Highways Agency therefore has no objection in principle to the above application being granted planning consent, subject to the attached condition and our above advice in this letter.”

19. It therefore directs that the following condition be imposed:

Prior to commencement of works on site, a detailed Travel Plan shall be submitted to, and approved in writing by the local planning authority. The Travel Plan shall make include:

- *Firm commitments to the implementation of measures to reduce the traffic impact of the development;*
- *Links to the wider Wynyard Park Travel Plan;*
- *Commitment to provide a Travel Plan Co-ordinator and details of their time and budget allocation for the implementation and promotion of the Travel Plan;*
- *Specific trip generation and mode split targets and timescales for achieving these; and*
- *Details of proposed monitoring strategy.*

The Travel Plan shall be implemented prior to occupation and for the lifetime of the development in accordance with the agreed Travel Plan document, and an approved travel survey shall be undertaken within six months of occupation (and within a neutral month). Annual surveys shall thereafter be undertaken (at the same time of year as the initial survey) and the results of these shall be provided to the local planning authority within one month of being undertaken. Should the development fail to meet its targets, corrective measures shall be agreed with the local planning authority and implemented to their satisfaction.

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

20. NEDL

No objections and encloses mains records for the area.

21. Northumbrian Water Limited

Requests the following planning condition be attached to any approval

Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: To ensure the discharge of SW from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 "Development and Flood Risk" and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

22. It further comments that:

In discharging the condition the Developer should develop his Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000. Namely:-

- *Soakaway*
- *Watercourse and finally*
- *Sewer.*

23. Northern Gas Networks

No gas mains in the area but draws attention to the fact that there may be other gas pipes in the area.

24. National Grid

Considers there is a moderate risk to its assets (gas main), however, considers that this risk should be successfully managed by following the plan and guidance provided.

25. Health and Safety Executive

Does not advise against the application on Health and Safety grounds

26. Natural England

It refers to its comments on the previous withdrawn proposal in which the following comments were made:

“Based on the information provided, Natural England advises that the above proposal is unlikely to have an adverse effect in respect of species especially protected by law, subject to the following conditions (with reasons):

Any on site vegetation clearance should avoid the bird breeding season (March to end of August), unless the project ecologist undertakes a checking survey immediately prior to clearance and confirms that no breeding birds are present.

Reason: To conserve protected species and their habitat.

With regard to this application it further comments:

The protected species information provided with your latest consultation is the same as that upon which we have previously commented.

The Local Planning Authority should consider whether changes to the current proposals may alter the level of impact on protected species and/or the design of the mitigation strategy, and therefore negate the advice previously given by Natural England. If the LPA believes this to be the case, they may then wish to reconsult Natural England, ensuring that the protected species information supplied with the consultation has been updated to reflect the changes in the proposals.

If the LPA believes that the new proposals will not affect advice previously given, they may choose not to reconsult us.

27. The Environment Agency

The Environment Agency has no objections, in principle, to the proposed development but recommend that if planning permission is granted the following planning conditions be imposed:

*No development approved by this permission shall be commenced until details of a surface water drainage scheme including explanatory statement have been approved by the Local Planning Authority. The scheme shall be implemented prior to the construction of impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.*

*No development approved by this permission shall be commenced until it has been confirmed that the site-wide surface water attenuation system has been constructed and is operation to its design standard.
REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.*

*No development shall be occupied until details of the long term management and maintenance responsibilities for the site drainage scheme and site-wide surface water attenuation system have been agreed in writing with the LPA.
REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.*

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

28. It also adds:

The following matters should also be taken into consideration:

Sustainable Drainage:

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.

In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.

Sustainable Energy Use / Renewable Energy Generation:

We consider any future planning application should incorporate Sustainable Energy Use / 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 emerging Regional Spatial Strategy for the North East, we consider the proposed development should incorporate Policies 39 (Sustainable Energy Use) and 40 (Renewable Energy Generation).

In conforming to these policies the proposed development should be designed to ensure energy consumption is minimised and meets the Building Research Establishment's Environmental Assessment Method (BREEAM) "excellent" ratings. In addition, we consider the proposed development should have embedded a minimum of 10% energy supply from renewable resources.

Foul Drainage:

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

29. Hartlepool Borough Council

Hartlepool Borough Council has been consulted as an Adjoining Authority and has commented as follows:

The Council has no objections to the principle of the development.

We would ask that the LPA are satisfied that the proposed landscaping scheme and the design/materials of the proposed buildings are fitting for the high quality business park. Moreover, in relation to sustainable transport issues we would ask that you be satisfied that that the travel plan will encourage other forms of transport to the site than the car. It is advised negotiations regarding possible developer contributions to off-site highway improvements are considered.

PUBLICITY

30. Neighbours were notified and a number of objections have been received from occupiers of residential properties with comments received are set out below:

Robert Evans, 3 Park Avenue, Wynyard Village

*A hotel is not in the Development Plan for that site.
This application is contrary to Regional Spatial Plan for that site.
This application is contrary to Local Development Plan for that site.
The application does not come under zone B1/B2.*

S & C Renfrew, 17 The Granary Wynyard

First email:

"There is already 2 hotels within a few miles of this proposed development , 1 at the west end of the A689 Nr Sedgfield & 1 recently extended hotel at he wynyard services nr Wolviston, there is also quite a number of public houses. most with very good restaurants..!!"

Second email:

*"Again this development will mean the destruction of natural habitat & bring more traffic chaos to an already very busy road.
Again I e-mail you to complain about the need for this development, why do we need such a development when there are already 2 hotels very close to this proposed development, the hotel at wolviston services has recently been up graded & there is no need for another blot on the landscape in such an area as this, it would consist of wilful damage to the natural surrounding habitat for wildlife & the destruction of mature trees Etc Etc."*

Jacqueline Price, 53 The Wynd Wynyard

*"I am very surprised at yet another proposed development close to the housing in Wynyard.
I object on the following grounds:
1. Traffic Congestion on the A19 is already Severe at both rush hours and will be made even worse by the already proposed Hospital.
2. The proposed development is out of character with the rest of the Wynyard site and will severely impact on the value of properties in the area.
3. It seem that there is an intention through the multiple planning applications being made in this area to completely erode the character of the Wynyard estate to the cost of those who have already invested in their housing and who pay significant council tax for the privilege."*

Heather Corkin, Whinney Moor Cottage, Wynyard, Wolviston,

Email:

I will send a letter of objection by letter post.

I object on the same grounds of Health, crime and traffic congestion as previously submitted in response to the earlier plans.

Additional traffic congestion will occur on A689 and will interfere with access to the new hospital, thereby endangering lives of the local community at large and all those attending the hospital.

Letter:

We live at Whinney Moor Cottage, and are a few hundred yards from the proposed build. As we stated at the hurriedly arranged "preview" of this application held at Wynyard Rooms, our concerns are those of public safety and traffic problems already evident on A689 daily.

The proposed build will serve alcohol. People could drive or walk there. The Wynyard estate is situated across a dual carriage way from the proposed build. It already carried a 50 mph speed limit because it is so busy and dangerous. The speed reduction is due to the large volume of traffic and obvious dangers from the several roundabouts between the entrance to Wynyard estate and A19.

There have been several fatalities on this particular stretch of road in the years since the estate was built.

We fear that if built, the building would attract people to attend from the estate opposite crossing the A689 dual carriageway without any footpaths or over bridges being in place.

(When the open golf tournament was held at Wynyard some years ago, people parked in the car park at Wynyard Park and a temporary footbridge was put in place allowing them to cross the A689, because of the danger. Traffic volume has only increased since then)

Even without having consumed alcohol, crossing the road is dangerous, after alcohol consumption, judgement of speed is even more impaired. Add to that the difficulty with vision at night in the dark and the risks only rise.

The police already monitor speed on this stretch and are never on my drive for very long before they easily catch offenders exceeding the limits.

People from Billingham and Wolviston too could walk to the new building, again, no footpaths, across a roundabout which serves the A19 and along the A689 with no footpaths. These too face similar dangers. Travelling by car and taxi would increase congestion on an already very congested road system.

On a personal note, increased foot traffic would increase crime along the road and certainly leave us feeling more vulnerable in our house's situation. It would also lead us to being disturbed by drunks. I realise that at the initial plan display it was to be an expensive restaurant. However, once built it could be taken over by anyone.

As there is a large hotel complex and bar and restaurant complex approximately 0.5 miles away at Wynyard services, we do not see why this would be needed.

As there are plans to build a new hospital very near this building. We have already raised several points about transport and congestion. This build would immediately make the daily situation worse by 100+ vehicles daily. I have enclosed a copy of the congestion worries and other points we have raised with "Momentum" purely for your information momentum@nth.nhs.uk. These have been put in writing and we are informed that they would be considered at any planning stage. We feel these points are especially valid concerning the proposed location for this build also. I have also attached a copy of the original masterplan in existence when we bought our property. This does not show any intention for this build, only offices and factory units. Does this constitute a change in use of land as people will be resident albeit for a short time i.e. not domiciled there? Or will the landlord actually be living ... resident on the premises. If so would there then be a precedent for houses to be built on the site.

For information only, I could not get the website showing this build to work, only able to see one view of the sketch which was shaded boxes. I was unable to visit the offices in Stockton either to get a better look. What if any security measures would be in place to ensure people using the build did not walk across the fields and into our woodland (or anyone else's) at Whinney Moor Plantation.

She also asks that if there were a site visit she would want it to be viewed from her property.

Jane Bullock, 6 Davison Close, Wynyard

“Wynyard is under attack and the impact upon the estate will be devastating, the council must consider the fiscal health of the whole of Teesside when looking at developments that will impact on Wynyard, like it or not Wynyard brings much needed spend into the area, we should be encouraging high earners to reside and stay in Wynyard from where they can buy expensive cars at local garages and support local restaurants and business. Attacking these investors is regional financial suicide. The A689 cannot cope with the traffic at the moment, no planning approvals should be given for any type of business until the Hospital submit their proposals and they must demonstrate their plans for the A19 & A689 and the methods they intend implement to alleviate roads already unable to cope where accidents occur frequently. There seems to be a lack of a coherent transport solution for the local area which must be addressed, random applications given permission without reflection of the whole picture will further add to the current significant road problems in the area. Consideration must also be taken to the visual impact of this hotel, the impact upon the natural beauty of the area must not be impeded and consideration must also be given the public house already on Wynyard Estate whose business must be given protection to by a responsible commercially savvy council.”

Catherine Murray, 3 Salter Houses, Wynyard

“The amount of planning applications submitted for this area are becoming ridiculous and will have a serious impact on the A689 which already struggles to cope with traffic at busy times of the day. It will simply not be able to accommodate the volumes associated with this type of development plus the impending new hospital. Please have some considerations for local residents who bought into the character of the Wynyard estate which is being slowly eroded by development.”

Mr N J Atkinson, 30 The Wynd Wynyard

“Whilst I do not object to the development content, I do object to the scale of the hotel being proposed so close to the A689 and to the entrance to my estate. The development will in effect be 4 stories with the plant room on the roof. This is the equivalent of the existing office block set much further back from main road; and that is very imposing as it is. Surely the design can be altered to be lower, albeit by taking up more floor space, so as to blend into the development and lessen the visual impact to the local residents. Or perhaps the development could contain less rooms; especially considering the recently granted extension to the existing Holiday Express a mere 1 mile further east.”

Mrs Saunders (Wynyard Resident)

“Please accept from me more objections to the now proposed applications of yet more traffic problem causing building for Wynyard Park. Another Hotel application, still ongoing 'Super Hospital' etc.

Most of the latest applications appear to be 'desk based assessment' on air and noise pollution. Why don't they get off their backsides and enter the real world? Come to Wynyard residential estate and try and get on to the A19 at Peak times. Sit in my garden and listen to the sound of traffic on the A19 with that hideous sound from the what must be concrete surface (so loud when you are driving you have to turn the car radio up). Walk a bit further to the A689 side and listen to motorbikes screeching up and down as though they were on a circuit somewhere. No it is not a picnic to live here - so that is why we try and preserve what tiny bit of peace we have.

How many times do we have to say the A689 is the main connection between the A1 and the A19? If one is blocked (and they often are) the traffic transfers to the other one. The main route from one main road to another and people want to put more traffic on it? Are they mad? Next time there is a traffic census make sure it is in term time and at peak times of the day not during holiday time and out of peak hours as was the last one.

Wynyard residents only have an access and egress on the A689. We have no other option. These developments have plenty of other options. Why don't they try them? Of course as usual it comes down to money and greed."

Dr Qaisar Jamil Syed, 38, The Wynd, Wynyard

- *Wynyard was meant to be kept as natural as possible.*
- *Even the doors and windows were not to be replaced by same kind.*
- *Residents are not allowed to set up any kind of private business at home.*
- *However residents felt comfortable to have well established store, barber, estate agency and pub already operating.*
- *Golfing area is well established and non-disturbing to residents*
- *There is just a few minutes drive to filling station, McDonalds, KFC and Hotel at A19 exit point which benefits residents.*
- *Now the combined Hospital on one site is already on pipeline which will destabilize the peace, quietness and security of the village.*
- *I do not find any reason to build another hotel and restaurant other than ????? of village life.*
- *Council should encourage a playschool, playground, park or nursery. It is a surprise to note no one is interested in that. SO NO TO THE PLAN*

PLANNING POLICY

National Planning Policy

31. National Planning policies are set out in Planning Policy Guidance Notes (PPG) and the newer Planning Policy Statements (PPS).

32. Relevant to this application are:

- PPS 1 "Delivering Sustainable Development"
- PPG 4 "Industrial, Commercial Development and Small Firms"
- PPS 6 "Planning for Town Centres"
- PPG 13 "Transport"
- PPS 9 "Biodiversity and Geological Conservation"

PPS1 – Delivering Sustainable Development (February 2005)

33. PPS1 builds on the principles set down in PPG1 and emphasises the contribution the planning system can make to achieving sustainable development and a high standard of design.

PPG 4 Industrial, Commercial Development and Small Firms

34. Planning Policy Guidance 4 (PPG4) takes a positive approach to the location of new business developments and assisting small firms through the planning system. The main message is that economic growth and a high-quality environment have to be pursued together

PPS 6 – Planning For Town Centres (March 2005)

35. Planning Policy Statement 6 (PPS6) sets out the Government's approach to the provision of town centre uses.
36. The key objective of PPS6 is to promote the vitality and viability of town centres, both by planning for the growth of existing centres and by promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good quality environment, which are accessible to all. The Statement sets out further objectives which should be addressed as a means by which to achieve the overall key objective:
- “Enhancing consumer choice by making provision for a range of shopping, leisure and local services, which allow genuine choice to meet the needs of the entire community, and particularly socially excluded groups;
 - Supporting efficient, competitive and innovative retail, leisure, tourism and other sectors, with improving productivity; and
 - Improving accessibility, ensuring that existing or new development is, or will be, accessible and well served by a choice of means of transport.”
37. Section 3 of PPS6 sets out the considerations which should be taken into account by Local Planning Authorities in determining planning applications for all proposals relating to main town centre uses, with paragraph 3.1 of PPS6 confirming that the considerations apply to the redevelopment of existing facilities as well as to the development of new facilities and at 3.4 that applicants should be required to demonstrate the following:
- (a) The need for the development;
 - (b) That the development is of an appropriate scale;
 - (c) That there are no more central sites for the development;
 - (d) That there are no unacceptable impacts on existing centres; and
 - (e) That locations are accessible.
38. In addition to the considerations discussed above, PPS6 states that the following material considerations may also be taken into account in assessing planning applications for a main town centre use:
- Physical regeneration;
 - Employment creation;
 - Economic growth; and
 - Social inclusion.

PPS 9 Biodiversity and Geological Conservation”

39. Planning Policy Statement 9 (PPS9) sets out planning policies on protection of biodiversity and geological conservation through the planning system.

Planning Policy Guidance Note 13 - Transport (March 2001)

40. The advice on locating new retail development is reinforced by Planning Policy Guidance Note on Transport (PPG13), which was published in March 2001. The key aims of the Guidance are set out in the introductory text, namely to integrate planning and transport at the national, regional, strategic and local level to:
- Promote more sustainable transport choices for both people and for moving freight;
 - Promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
 - Reduce the need to travel, especially by car.
41. Paragraph 35 sets out the guidance relating to shopping development and is consistent with PPS6 in that it also emphasises that new retail development should be focused in existing shopping centres where it is likely to be most accessible to the population by a variety of means of transport.
42. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are: - Regional Spatial Strategy the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).

Regional Planning Policy

Regional Spatial Strategy (2008)

43. Policy 20: Locations, identifies Wynyard as a Key Employment location which are able to provide a limited number of large scale development opportunities for high quality modern industry, minimising B1 (a) potential. The policy states:

“In planning for Key Employment Locations, Local Development Frameworks and planning proposals should ensure a high level of sustainability. They should:

- a. *Prepare a detailed masterplan prior to the commencement of development setting out such considerations and meeting the requirements of clauses b-e;*
- b. *Seek to achieve zero or low carbon emissions, including energy conservation measures and secure energy supply from decentralised and renewable or low-carbon services in accordance with the approach set out in Policy 38;*
- c. *Encourage high levels of public transport, walking and cycling accessibility and use;*
- d. *Discouragement of the need to travel by car through limited parking, the use of other demand management measures, and requiring a Travel Plan for each future occupier;*
- e. *Include a waste audit in view of Policy 46;*
- f. *Secure any necessary improvements to the strategic and local road and rail networks required to accommodate traffic generated by the development, taking account of the likely use of public transport to the site;*
- g. *Maximise the employment opportunities for residents of surrounding areas, particularly those in deprived communities;*
- h. *Ensure that the necessary infrastructure is coordinated with new development;*
- i. *Employ sustainable construction and design methods, which deliver biodiversity benefits and foster local distinctiveness;*
- j. *Protect and enhance major environmental, historic assets; and*

- k. *Ensure that the integration of the development with the landscape meets high environmental standards;*
- l. *Give priority to accommodating major investors and prestige business development of national or regional significance”.*

44. Policy 38 relates to sustainable construction and states:

“Strategies, plans and programmes, and planning proposals should:

- a. *Ensure that the layout and design of new buildings and developments minimise energy consumption;*
- b. *Encourage and promote opportunities for new developments or the redevelopment or refurbishment of existing buildings to achieve high energy efficiency and minimize consumption in terms of energy efficiency best practice, BREEAM rating and the Code for Sustainable Homes;*
- c. *Encourage and facilitate homeowners and businesses in improving their energy efficiency and reducing consumption; and*
- d. *Promote and secure greater use of local renewable energy in new development, including through Development Plan Documents, setting local level size thresholds for major new development and require all relevant developments, particularly major retail, commercial and residential developments, to secure an ambitious but viable percentage of their energy supply from decentralised and renewable or low carbon sources. In advance of local targets being set in DPDs, major new developments of more than 10 dwellings or 1000m² of non-residential floorspace should secure at least 10% of their energy supply from decentralised and renewable or low-carbon sources, unless, having regard to the type of development involved and its design, this is not feasible or viable.”*

45. Policy 39 states:

Strategies, plans and programmes, and planning proposals should:

- a. *facilitate the generation of at least 10% of the Region’s consumption of electricity from renewable sources within the Region by 2010 (454 MW minimum installed capacity);*
- b. *aspire to further increase renewable electricity generation to achieve 20% of regional consumption by 2020;*
- c. *facilitate the achievement of the following minimum sub regional targets to 2010:*

46. Policy 40 states

Strategies, plans and programmes should support and encourage renewable energy proposals and identify renewable resource areas. In assessing proposals for renewable energy development significant weight should be given to the wider environmental, economic and social benefits arising from higher levels of renewable energy, and the following criteria should be considered:

- a. anticipated effects resulting from development construction and operation such as air quality, atmospheric emissions, noise, odour, water pollution and the disposal of waste;
- b. acceptability of the location and the scale of the proposal and its visual impact in relation to the character and sensitivity of the surrounding landscape;
- c. effect on the region’s World Heritage Sites and other national and internationally designated heritage sites or landscape areas, including the impact of proposals close to their boundaries;
- d. effect of development on nature conservation sites and features, biodiversity and geodiversity, including internationally designated and other sites of nature

- conservation importance, and potential effects on settings, habitats, species and the water supply and hydrology of such sites;
- e. maintenance of the openness of the Region's Green Belt;
- f. accessibility by road and public transport;
- g. effect on agriculture and other land based industries;
- h. visual impact of new grid connection lines;
- i. cumulative impact of the development in relation to other similar developments; and
- j. proximity to the renewable fuel source such as wood-fuel biomass processing plants within or close to the Region's major woodlands and forests.

Tees Valley Structure Plan

47. The saved Tees Valley Structure Plan policies that particularly need to be considered include:

EMP6 (Business Parks and Prestige Employment Development) lists 540 ha of land available for business parks or other prestige employment development.

Stockton on Tees Local Plan 1997 (STLP)

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

STLP Policy GP1 general principles

STLP Policy IN4 states that business uses will be permitted on the Wynyard estate where the development incorporates a high standard of design and includes substantial landscaping

STLP Policy TR15 states that the design of highways required in connection with new development will provide for all the traffic generated by the development and parking provided to the Council's standards.

49. Adopted Stockton on Tees Local Plan Alteration No 1 Policy

STLP Policy S2 refers to major retail development and proposals for key town centre uses in locations, which lie beyond defined centres. All proposals must satisfy the criteria outlined in this policy

MATERIAL PLANNING CONSIDERATIONS

50. In light of the consultation responses, concerns raised by residents, planning policy and the planning history of the site, a number of planning issues are considered material to the consideration of this application.

Planning Policy and the principle of development

51. In determining whether permission should be granted, the Council, as the Local Planning authority, needs to have regard to the relevant planning policies and make a decision consistent with those policies unless other material considerations indicate otherwise.
52. The primary issue in relation to planning policy is whether the development is in a sustainable location and whether the relevant tests as set out in the various planning policies (i.e. PPS6, RSS policy 20 and STLP policy S2) have been met. One of the key

tests is whether having established a need for the development; the chosen site is sequentially the best location for such a development. Planning policy in respect of hotels would normally seek in the first instance for them to be located within Town Centres. The need for the development is discussed further below.

53. As part of the planning submission the applicant while not conceding it is a town centre use, nevertheless, has carried a limited sequential test. It concentrates on sites and premises that are conveniently accessible from the Business Park, having regard to the fact that the specific need is to support and service the occupants of the Park. The search has focussed on:
- (i) local plan allocations;
 - (ii) the local area; and
 - (iii) along the main 'A' road which links the Park with Billingham Town Centre and which is served by public transport.
54. The study concluded that there were no sequentially preferable sites available for development in reasonable proximity to Wynyard Park. Therefore, given the lack of alternative sites that are available, suitable and viable in sequentially preferable locations, and the support of this type of development in order to maintain the viability of Wynyard Park, it is considered that the application site represents the best option to accommodate a new hotel and pub/restaurant development to serve the Business Park
55. The evidence produced makes it clear that the proposal would be a very different operation from that normally expected to be provided in a town centre location. Given that it is inherently different and is serving the Business Park, it is accepted that in planning terms the site is sequentially the best location for a hotel and associated food beverage provision and does not prejudice planning policy by being located within the Wynyard Business Park estate.

Compliance with the Master Plan and Design Guide

56. The 2004 master plan (approved as a condition of the 1996 outline approval) has always indicated the application site as area for development but for B1 (offices) B2 (industry) and B8 (storage and distribution). The revised master plan of 2007 further refined the layout for this area and shows a similar building arrangement to that that now proposed. However, in agreeing the master plan revision no approval was given to the principle that the site could be developed for a pub and hotel, though it is recognised that the original overarching master plan produced by Cameron Hall estate (the previous owners of the business park) for the whole of the Wynyard Park did indicate the provision of a hotel north of the A689.
57. The "Wynyard Business Park – Design Coding and Control" produced for this estate as part of the requirement of the outline approval, establishes the design philosophy and prescribes a standard of landscaping and external works design for the future development of individual plots and their surroundings. However, as the Council's landscape architects states the "while the landscape proposal has been submitted with the application and is generally acceptable the space for implementing the work is below our recommendation".
58. Of particular importance is the requirement for a 10m wide 'no development strip' between the development and plot boundaries together with a 30m wide buffer strip alongside the A689. This 30m wide buffer is to incorporate planting which will establish a strong landscape buffer between the highway and the business park. The applicant has allowed for this 30m strip and diagrammatically indicates this is to be planted. The scheme also

extends the landscaped strip around the western boundary where it faces onto the access road into the estate off the A689. The scheme does provide for a 10m strip no development strip along the northern and southern boundaries but along the eastern boundary it is reduced to 5m. The submitted layout plan however, indicates a further 10m wide “no development zone” beyond the western boundary but outside of the application site. Nevertheless, the Landscape Architect is concerned that this has been accommodated by moving the access point to the adjacent plot. On checking the plan approved for the access (application No 08/1410/FUL) the access appears to be in the correct position on the site layout plan but is incorrectly shown on the landscape plan.

59. The other concern raised is that the landscaping strip separating the pub and hotel plots should be 10m in accordance with the design guide. However, it is recognised that because of the similar nature of the uses this could be reduced to 5m in this case. The submitted plans indicate a 3m strip.
60. It should be noted that policy IN4 of the local plan requires a high standard of design and landscaping. Furthermore, Hartlepool Borough Council, as the adjoining authority responsible for the control of most of the Business Park, ask that the Council be “*satisfied that the proposed landscaping scheme and the design/materials of the proposed buildings are fitting for the high quality business park*”. As submitted, the scheme is not totally satisfactory albeit in a relatively minor way and fails to fully meet the high standards set for Wynyard. These concerns have been raised with the applicant who has asked that these matters be reserved for future approval as a condition of planning approval. Given that to secure the necessary compliance with the Design Guide in terms of landscape spacing only minor changes are needed and that these changes can be achieved by means of a planning condition, this approach is considered acceptable. Further conditions relating to the details of the landscaping are also required.
61. The development also needs to comply with the guide in terms of the details of the surface treatment of the hard standing areas, materials, colour treatment, street furniture etc. These matters have not been fully detailed in the submission but this the residual information can be a condition of approval.
62. Subject to the imposition of such conditions the development is considered to comply with the established design guide for Wynyard Park.

Need for the development

63. It is a requirement of PPS 6 that the need for the development should be demonstrated and it is one of the issues raised by local residents and the ward Councillor. The claim is made that there is no need for the development citing the existing bars and hotels in the area including hotels at Wynyard Golf club and Wynyard Hall (both approved in the recent past) and existing hotel at Wolviston and in Sedgefield all within a short car journey from the site as well as existing public houses in Wolviston and Billingham.
64. In support of the need argument the applicant has put forward the case that the hotel and pub/restaurant will primarily be targeted at business travellers and given the scale of the ultimate Wynyard park development – employing up to 18,000 people when complete – states that there is a strong justification to improve facilities which service the park. It is further stated that service facilities such as a hotel/pub, ancillary to a business park, are recognised as an important factor in both retaining and attracting companies to a particular business park location. Examples elsewhere in the country (18) have been quoted.
65. It is also stated that it will increase the range of serviced accommodation available to visitors to the Tees Valley therefore satisfying the needs of tourism. Details of the

importance of business tourism are set out as well as how important it is to the economy of the region. An assessment is made of the range and quality of existing hotels in the area.

66. It is accepted that there is in principle a need for hotel and associated food and beverage facilities to service the Business Park when it develops to its full potential in accordance with the existing planning approvals.

Traffic, access and highway safety

67. This is a key issue with the application and one that is of particular concern to local residents. With the previous application that issue was unresolved with both the Head of Technical Services and the Highways Agency highlighting that the Transport Statement submitted was insufficient and that additional work and information was required. It was to in order for this work to be undertaken and other reasons that the application was withdrawn.
68. The resubmitted planning application has updated the Transport Statement and no objection in principle is raised either by the Head of Technical Services or by the Highways Agency. However, it is recognised with the developments going forward in the area, including the proposed new hospital, that serious congestion is predicted at junction of the A689 and A19. Accordingly, the Council together Hartlepool Borough Council, the Joint Strategy Unit and the Highways Agency is seeking to develop a highway improvement scheme that would seek mitigate against the predicted congestion and also facilitate other developments in the area. To this end both Hartlepool Borough Council and the Highways agency request the Council to seek a financial contribution from the developer towards this scheme. At present the scale of any such contribution is not known though the Highways Agency has appointed consultants to assist in the work.
69. However, it should be recognised that the site already has outline approval for B1, B2 and B8 uses and that the Head of Technical services states "The hotel/pub development clearly has less traffic impact than the B1 offices in peak hour periods and is therefore acceptable in traffic terms". It is not certain whether in this context; the applicant will be willing to enter into a section 106 agreement to provide a financial contribution. The matter is further discussed below.
70. Local residents have continued to express concern about an increase in traffic that will be generated by the development highlighting particular problems of existing congestion at peak times. Local residents are also concerned about the road safety implications given the proposal pub/hotel use could attract significant extras numbers including the possibility of people accessing the use by foot from the Wynyard residential area and trying to cross a busy dual carriageway. This is a significant issue, and whilst there has only been one accident causing injury in the last three years along the A689 in the vicinity of this development, as the Head of Technical Services states "it should be noted that there is virtually no crossing movements of traffic, cycles or pedestrians at present due to the low scale of development at Wynyard Park". Accordingly he is concerned that increased activity particularly of pedestrians will significantly increase the risk of accidents causing serious injuries.
71. Without a safe means of crossing the development may present a serious highway safety risk. Consequently, footway extensions and an uncontrolled crossing point to the east of the roundabout are necessary to increase safety for pedestrians. This can be secured by a negative "Grampian" style conditi

72. Minor highway concerns such as cycleway links and provision secure cycling park; refuse and recycling facilities, parking control system etc can be resolved by appropriate planning conditions.
73. Whilst recognising the existing congestion problems at peak time and the concerns raised local residents and others that this congestion is likely exacerbated by further development in the area, the proposal in itself is not likely to significantly to add to the problem sufficient to justify a refusal of planning permission. In particular the main usage of both uses will be out of peak time. Mitigation can be achieved through the use of appropriate planning conditions including the travel plan which will be integrated in the overall Wynyard Park travel Plan.
74. Ultimately, the highway improvement scheme which your officers and others are seeking to secure should significantly help particularly as the use of the pub/restaurant and hotel for which permission is now being sought will largely be off peak.
75. In respect of road safety, it is recognised that the main danger arising from this development will be pedestrian crossing movements but as set out above improvements can be secured through planning conditions.
76. Accordingly, it is considered that the concerns about traffic, access and safety can be overcome.

Section 106 agreement

77. In order to deal the prediction the A19 and the A689 is likely to experience significant congestion in the future arising from new development a highway improvement scheme is being sought that would mitigate against this predicted congestion. Both the Highways Agency and Hartlepool Borough Council ask that consideration be given to entering into a Section 106 agreement with the developer for a financial contribution towards this wider scheme. The amount of contribution is not yet known and consultants employed by the Highways agency are working to establish a mechanism to establish a pro rata rate of contribution to be paid by each developer as development proceeds on the Park.
78. However, this development site already has outline approval albeit for business use and the development now proposed will actually generate less traffic than the approved use. In these circumstances, it may be considered unreasonable to require such a contribution. The matter is to be discussed with the applicant and progress will be outlined in an update report to Committee.

Residual matters

79. There are a number of residual matters raised in particular by residents that need to be addressed.

Visual Impact

80. Concerns have been expressed, particularly in regard to the design of the Hotel that its height at four storeys is excessive and will be imposing and visible from residential areas to the south. Also that potential signage could exacerbate the visual obtrusive nature of the development. The development will be set a minimum of 40 metres back from the road side with are in between screen planted. It is also orientated to present the hotel building end on to the A689. Whilst the planting will not hide the building it has to be recognised that the nearest housing is over 200m away on the other side of the A689. As such it will be some 250m distant from the nearest dwelling in Wynyard village.

81. Consequently, whilst the buildings will be visible from the road, the visual impact will be lessened by new planting and their scale and massing is not such as to be considered detrimental to the visual amenities of the area.
82. Comments of the design of the hotel building are noted, however it is a modern building of contemporary design that is considered will fit in well with the overall design philosophy of the Business Park. The pub/restaurant has been designed to reflect the surrounding area's semi-rural appearance.

Ecology

83. The application is supported by an ecological appraisal which concludes that the site only supports a small number of habitats and is of limited value to wildlife. The only issue is vegetation clearance needs to be carefully timed which ties in with comments of Natural England. This can be secured by a planning condition. It is not considered that the ecological information (the same as submitted with the withdrawn application needs to be update given the relatively short time since the surveys were done.

Sustainability

84. The Regional Spatial Strategy (RSS) seeks to ensure development is sustainable. In identifying Wynyard as a key employment location, to ensure a high level of sustainability it requires inter alia that development should seek to achieve zero or low carbon emissions, including energy conservation measures; encourage high levels of public transport, walking and cycling accessibility; require a Travel Plan for each future occupier and employ sustainable construction and design methods, which deliver biodiversity benefits and foster local distinctiveness.
85. Whilst it is recognised that the development will still rely to a large extent on car access, with the requirement for a Travel Plan and other conditions that can imposed on any permission granted, a significant degree of sustainability can be achieved with the this development including requiring the use of renewable energy measures to generate 10% of electricity demand.

Other matters

86. Matters raised by Environmental Health , Environment Agency, and Northumbrian Water, relating to issues such as protection from traffic noise, drainage, odours, possible contamination, construction noise etc can be controlled by condition.
87. Some residents have raised concerns about the loss open space. Whilst the site is a Greenfield site, it is allocated for development in the adopted local plan and has planning permission for industrial development. The comment made by the Parish Council that revised plans have increased the size of the development are not agreed, the size of the development is identical to the previous withdrawn proposal.
88. Other matters raised by residents such as, noise, litter, anti social behaviour are noted but are not considered to be sufficient to warrant a refusal of planning permission given the location of the development away from sensitive residential areas.

Departure

89. The application site is allocated for prestige business uses in the adopted Stockton on Tees Local Plan and whilst the applicant argues in effect the present proposal an ancillary use to

the Business Park use, it is still technically a departure from the Development Plan. However, it is not of a scale that requires a formal reference to Government Office in accordance with Direction

CONCLUSION

90. In conclusion the principle of the provision of a hotel and pub/restaurant on a quality business park is acceptable. In this case it is accepted that in planning terms the site is sequentially the best location for a hotel and associated food beverage provision and does not prejudice planning policy by being located within the Wynyard Business Park estate.
91. Subject to the imposition of appropriate conditions the development is considered to comply with the established design guide for Wynyard Park. With regard to concerns about traffic, access and safety it has been shown that these can be overcome. The development in itself generates less traffic than the approved Business use from the site and will operate largely outside of peak times. Concerns about future congestion result from further development of the estate are being addressed through a highway improvement scheme and it may be necessary for the applicant to contribute financially towards that overall scheme. The matter is to be discussed with the applicant and progress will be outlined in an update report to Committee.
92. Whilst the buildings will be visible from the road, the visual impact will be lessened by new planting and their scale and massing is not such as to be considered detrimental to the visual amenities of the area. The design of the proposed is acceptable in the context of a high quality business park. In ecological terms the site only supports a small number of habitats and is of limited value to wildlife. A significant degree of sustainability can be achieved with this development ensured by appropriate planning conditions.
93. Concerns of residents about traffic, visual impact, loss of open space, impact on the character of the area are recognised but these objections to the development whilst noted are not sufficient to justify a refusal of planning permission. Control over some of the concerns can be ensured through the use of appropriate planning conditions.
94. On balance therefore conditional planning approval is recommended subject to a possible Section 106 agreement for a financial contribution towards the developing highway improvement scheme that will allow future development of the Wynyard Park area to continue.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Peter Whaley Telephone No 01642 526061
Financial Implications
As report

Environmental Implications
As Report

Legal Implications
As report

Community Safety Implications

As Reported

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 AND WARD COUNCILLORS

Ward Northern Parishes
Ward Councillor Councillor J Gardiner

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