

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 2 SEPTEMBER 2009

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

09/1418/FUL

**Site of Former Running Track, Finchale Avenue, Billingham
New Class D1 Primary Care Centre and Class A1 Associated Pharmacy**

Expiry Date 9 September 2009

SUMMARY

The application site is situated to the north of Billingham Town Centre and lies immediately to the west of Finchale Avenue in Billingham, and forms part of the Former Billingham Technical College running track/sports field.

Planning permission is sought for the creation of a new health centre (D1 use) and an associated Pharmacy (A1 use). The proposal is to provide a total of 2625 sq m of floorspace for 3 no. doctors' surgeries and associated waiting areas, consultation rooms, treatment rooms, minor surgery space, staff rooms and associated administration facilities.

A total of 3 no. objections have been received, raising concerns in relation to parking issues, increased congestion, the loss of recreational land and the potential to create a precedent for further development on the former sports field.

The application site is within easy walking distance of Billingham Town Centre and is well served by a range of transport means. Whilst the proposal will result in the loss of the former running track, it is within private ownership and significant funds will be provided to improve and enhance existing playing fields elsewhere in Billingham. Sport England are satisfied that this is an acceptable mitigation approach, subject to the developer entering into a section 106 agreement to secure the required heads of terms.

The proposed development is considered to be of a modern design with the use of materials complementing the more traditional materials elsewhere in the surrounding area and associated landscaping enhancing the development as a whole. The development is also considered not to have any significant impacts to existing levels of residential amenity, highway safety, public safety or protected species.

RECOMMENDATION

Planning application 09/1418/FUL be Approved with Conditions subject to the developer entering into a Section 106 agreement and the conditions set out below;

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

Plan Reference Number	Date on Plan
SBC 0001	10 June 2009
1619-P-22-001	10 June 2009
1619-P-22-002	10 June 2009
1619-P-22-003	10 June 2009
1619-P-22-004	10 June 2009
1619-P-90-001	10 June 2009
1619-P-90-002	10 June 2009
1619-P-20-001	10 June 2009
1619-P-90-003	10 June 2009
1619-P-20-002	10 June 2009

Reason: To define the consent.

02 Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).

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

03 Before the occupation of the development hereby permitted, works for the disposal of surface and foul water shall be provided on the site to serve the development. Details of such drainage works shall first be submitted to, and approved by, the Local Planning Authority; the sewage disposal shall be completed in accordance with these approved details.

Reason: To ensure satisfactory means of water disposal.

04 Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (e.g. incidental buildings, public art and street furniture).

Reason: In the interests of visual amenity.

05 Notwithstanding any description submitted as part of the application a detailed scheme for landscaping including tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is occupied. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner. Any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced

in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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

- 06** ***Prior to occupation of the hereby approved development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and be carried out in accordance with the approved schedule.***

Reason: In the interests of amenity and the maintenance of landscaping features on the site.

- 07** ***Details of all external lighting of the building and car park area, including the siting, colour and luminance shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. Before the use commences, such lighting shall be shielded and aligned to avoid the spread of light in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and thereafter such lighting shall be maintained to the same specification and adjusted, when necessary, to the satisfaction of the Local Planning Authority.***

Reason: To avoid light pollution in the interests of the visual amenities of the area

- 08** ***All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development is commenced. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.***

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

- 09** ***Notwithstanding the information submitted as part of the application details of the existing and proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.***

Reason: To define the consent

- 10** ***No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 8.30 a.m. on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).***

Reason; To avoid excessive noise and disturbance to the occupiers of nearby premises.

- 11** ***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 proper restoration of the site.

- 12 ***Notwithstanding the details submitted as part of the application and prior to the occupation of the development, details of a scheme for refuse and recycling facilities and on-going management shall be submitted to and approved in writing by the Local Planning Authority and be implemented in accordance with these agreed details.***

Reason: In order that the Local Planning Authority may exercise further control in the interests of the visual amenity of the area and amenity of adjoining and future occupiers.

- 13 ***Notwithstanding the details submitted as part of this application full details of the proposed access arrangements into the site shall be submitted to and agreed in writing with the Local Planning Authority. The access shall be constructed in accordance with these agreed details, prior to the occupation of the hereby approved development.***

Reason: In the interests of highway safety

- 14 ***All works to the tree in the north-east corner of the site shall not be undertaken within the period 1 March to September 30 inclusive, unless otherwise agreed in writing with the Local Planning Authority.***

Reason: To avoid disturbance to the bird populations during the breeding season.

- 15 ***Prior to the commencement of the development an amended Travel plan Framework shall be submitted to and approved by the Local Planning Authority. The approved travel plan framework shall be used to inform a detailed travel plan.***

Reason; To reduce the dependence and reliance of the private motor car in the interests of the free flow of traffic and highway safety

- 16 ***Within six months of the first use or occupation of the development, a detailed travel plan shall be undertaken and submitted to and approved by the Local Planning Authority. The travel plan shall detail measures and actions of how to reduce car travel and car dependency to and from the site. The travel plan shall be implemented in accordance with these agreed details.***

Reason; To reduce the dependence and reliance of the private motor car in the interests of the free flow of traffic and highway safety

- 17 ***Notwithstanding the provisions of Class A1 of the schedule to the Town and Country Planning (Use Classes) Order 1987 and amendments, the proposed retail unit shall be used as a Pharmacy only, unless otherwise agreed in writing with the local planning Authority***

Reason: To enable the Local Planning Authority to retain control over the development.

INFORMATIVE;

The principle of redevelopment of a small section of the recreational area is considered acceptable subject to the enhancement and improvement of other recreational sites in Billingham. The proposal is also considered to be in a suitable location, is visually acceptable and does not pose a significant risk to highway safety or the amenity of neighbouring occupiers. The development has been considered against the policies below

and it is considered that there are no other material considerations that indicate a decision should be otherwise.

GP1 – General Principles, EN39 – Industrial or commercial development near a hazardous installation and REC1 – Outdoor Playing Space and Planning Policy Statement 1, Planning Policy Statement 6, Planning Policy Statement 9 and Planning Policy Guidance 17

HEADS OF TERMS

A commuted lump sum of £126,000 towards the improvement and enhancement of playing field provision within the Billingham area.

BACKGROUND

1. The application site forms part of the former Stockton And Billingham College Site, with the former running track still visible on the site
2. More recently outline planning consent was granted for residential development including new vehicular access onto Finchale Avenue (06/1983/OUT). This was followed by a reserved matters application for residential development comprising of 176 no. dwellinghouses (07/0858/REM) which was also approved. Work is now well underway on the site with many occupiers both constructed and occupied.

PROPOSAL

3. Planning permission is sought for the creation of a new health centre (D1 use) and an associated Pharmacy (A1 use). It should be noted that this proposal is for a GP Surgery and is not part of any future plans the Primary Care Trust (PCT) may have for Billingham Town Centre.
4. The proposal is to provide a total of 2625 sq m of floorspace for 3 no. doctors' surgeries and associated waiting areas, consultation rooms, treatment rooms, minor surgery space, staff rooms and associated administration facilities.
5. The proposed building is arranged into a T-shape and is to measure a maximum of 56m (w) and 56.5m (l) and reach a maximum height of 15 metres. Access to the site is from Finchale Avenue and car parking is proposed to the front of the building. Landscaping and mounding are proposed to screen the car park from Finchale Avenue and further landscaping areas surround the main building.

CONSULTATIONS

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

Sport England

I am writing with regard to the above application to follow up to my letter dated 22nd July 2009. The applicant's agent has now responded to my letter and advised that they would be prepared to enter into a section 106 Agreement which would cover the following matters;

- Payment of a commuted sum based on Sport England's capital costs register. Calculated at the time of application to be £126,000
- The sum to be used for replacement playing field provision within the Billingham area.
- Should the Local Authority be unable to utilise the sum within an agreed timescale then it be returned to Billingham Headway

Given the above, Sport England are satisfied that the proposal meets one of the exceptions of the above policy in that;

The playing fields of playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of equivalent or better quality and or equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development

This being the case, Sport England is prepared to withdraw its objection to this application subject to the signing of a Section 106 Agreement on the above basis.

Although not a signatory to the Agreement, Sport England will need to agree it's content in order that our objection remains resolved. We would also suggest that Stockton Council use the period up to it being signed to begin the process of identifying potential sites or schemes where the sum could be utilised. To this end I have copied my response to Neil Russell within the Council's Leisure Services Team.

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's support for any related application to the National Lottery Sports Fund.

I would be grateful if you would advise me of the outcome of the application by sending me a copy of the decision notice. If you would like any further information or advice please contact me at the address overleaf.

Primary Care Trust

No comments received

Head of Technical Services

I refer to your memo dated: 18/6/09

General Summary

We do not object to the development subject to the comments listed below:

Highways Comments

The development should be designed and constructed in accordance with the Design Guide and Specification and Supplementary Planning Document 3: Parking in New Developments.

A Transport Assessment has been submitted with the application that is acceptable. It has been carried out to the latest guidance and describes the expected trip generation, capacity analysis and sustainability of the site. Highway safety has also been considered within the report and the summary is acceptable that the highway layout is not generally a factor in the accidents that have occurred. Further survey work has been undertaken at the existing practices in order to verify the TRICS trip generation used within the report and is acceptable.

The proposed health centre is to accommodate 3 Doctor's practices, a total of 14 GPs and other medical staff. Including an assumption of 5 non- operational parking spaces a total of 85 spaces should be provided. A total of 81 spaces are proposed, this is acceptable since it is close to the maximum provision and given the sustainability of the site and its close proximity of the town centre. This includes 4 disabled parking spaces (5 %).

Visibility splays of 2.4m x 43m need to be demonstrated on a plan. The width of the access is 6 metres and it has been demonstrated that both an ambulance and refuse vehicle can access

the site. The radius of the kerb gives a large bell mouth access for pedestrians to cross, this should be reduced. Manoeuvrability and reversing within the site is acceptable however further footways should be provided around the car parking perimeter to give a safe walking route to the main entrance of the building.

Refuse storage and collection has been demonstrated, it should be noted that a provision for recycling is required. A turning head is provided and refuse vehicles can adequately turn.

There are 30 cycle parking spaces that are conveniently located within the site and are covered and secured.

A Travel Plan framework has been produced for the development in accordance with the latest government guidance. The purpose of the travel plan is to minimise the level of vehicular traffic and influence travel behaviour. The Travel Plan framework proposes to implement a Travel Plan Co-ordinator who will undertake the role as part of other day to day duties.

The travel plan framework has been updated to reflect the relocation of existing doctors practices to this development. Further changes are required to ensure that there is maximum possibility of influencing the travel choices of employees prior to the relocation. Should these not be received prior to committee then a condition should be included that allows for the revision of the Travel Plan framework as well as the implementation of the full travel plan.

It is noted that the development proposes to implement speed humps at raised pedestrian walkways. This is acceptable to give a priority walking route to pedestrians through the site.

A drop off zone is provided that should be revised as currently it is too small to accommodate 2 vehicles, however to provide a drop off zone for 1 vehicle it should be 6 metres long and the current layout may encourage other vehicles to squeeze in at an angle.

It will be necessary for a S278 agreement to be implemented for the new access onto Finchale Avenue. The Developer should contact the Civil Engineering Manager in order to progress this work.

Landscape & Visual Comments

Having reviewed the landscape plan and landscape design statement we make the following comments:

- There are no trees or hedges of great value on the site which consists of an old running track and grassed area. Further to our discussions we understand Sport England will be commented on the loss of the running track and any mitigation measures. We would not object to the proposal provided suitable compensation measures for the loss of open space formerly used for sport are provided in line with Sport England recommendation.
- We understand that the presence of a main sewer across the front of the site means the building must be located at the rear of the site with the car park and access road at the front of the site. Within the layout of the car park itself the central planting beds running north to south across the car park and the beds to the north and south of the entrance path and cycle shelters are too narrow to achieve adequate planting and the width of these should be increased to at least 2.5 metres to allow for the inclusion of some tree planting. The planting bed on the northern boundary of the car park is also too narrow and should be increased to a minimum of 3 metres to allow for boundary tree planting and hedge/shrub planting. The car park and access road present a rather large expanse of tar macadam and increasing the planting beds as described will allow for more tree planting and shrub planting to break up this area.

- The plant species choice including the spacing's and plant sizes is generally acceptable but we wish to see a full planting plan with landscape specification and maintenance programme. The greater use of larger trees should be used like the lime trees on the site frontage such as larger maples, beech and oak to give the landscape scheme a greater long-term impact. Suitable spaces for larger trees could be the mounded area on the site frontage (were more trees should be provided), the thicket area on the southern boundary and the wildflower area along the western site boundary. We would caution against the use of *Rosa canina* in the hedge mix as this can be a vigorous species that need much pruning and is not recommended near a housing area and we would advise the use of another native rose.
- Details of the garden areas to the north and west of the building should be provided and they could allow for some seating in a least one area for use by visitors.
- The variety of hard landscape surfacing used will provide an attractive entrance to the centre.

If consent is granted, conditions should be applied. Suggested wording is provided in the informative section at the end of this memo.

Informative:

LANDSCAPING - HARDWORKS
 STREET FURNITURE
 SCHEME FOR ILLUMINATION
 LANDSCAPING – SOFTWORKS
 MAINTENANCE- SOFTWORKS

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.

❑ 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.

❑ 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.

❑ Reporting unexpected land contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

CE Electric UK

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

Northern Gas Networks

No objections

Health and Safety Executive

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

PUBLICITY

7. Neighbours were notified and any comments received are below

Mrs J Henderson-Thynne – 1 Hexham Walk, Billingham

Has assessed the plans and would like to be assured that that the undeveloped land is adequately partitioned from the developed area to prevent it becoming an overflow car park area.

Janice Haswell – 22 Finchale Avenue, Billingham

Raises concerns in relation to existing traffic problems and incidents and whether the proposed health centre would cause further problems and congestion in the area.

Audrey Dutton – 6 Finchale Avenue, Billingham

Raises concerns in relation to the loss of the recreation area and the potential for further developments on the site. Concerns are also raised in relation to the existing parking problems along Finchale Avenue, the likely increase in traffic resulting from the development and the existing lay-by being used as a drop off and pick up point.

PLANNING POLICY

8. The relevant development plan in this case is the adopted Stockton on Tees Local Plan. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).

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

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy REC1

Development which would result in the permanent loss of playing space will not be permitted unless:

- (i.) Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site, or
- (ii.) Alternative provision of equivalent community benefit is made available, or
- (iii.) The land is not required to satisfy known local needs.

Policy EN39

The expansion of existing industrial or commercial undertakings in the vicinity of hazardous installations will normally be permitted if it can be shown that additional people and buildings will not be placed at unacceptable risk because of the proximity of the installation.

Other policy considerations

Planning Policy Statement 1; Delivering Sustainable development

Planning Policy Statement 6; Planning for Town Centres

Planning Policy Statement 9; Biodiversity and Geological conservation

Planning Policy Guidance 17: Planning for open space, sport and recreation

SITE AND SURROUNDINGS

10. The application site is situated to the north of Billingham Town Centre and lies immediately to the west of Finchale Avenue in Billingham, and forms part of the Former Billingham Technical College running track/sports field.
11. A new residential development lies to the south of the site, with John Whitehead Park and the residential properties of Finchale Avenue to the east. The remaining playing fields lie to the north and west of the site with further residential properties beyond.

MATERIAL PLANNING CONSIDERATIONS

12. The main planning considerations of this application are compliance with planning policies, the loss of existing playing pitch provision, the impacts of the development on the character of the area, landscaping features, the amenity of neighbouring occupiers, access and highway safety; public safety and protected species.

Principle of Development;

13. Planning Policy Statement 6, sets out the governments aims in terms of the role that town and local centres play and the role that planning has in enhancing and promoting their use. Paragraph 1.8 of Planning Policy Statement 6 (PPS6) sets out the main town centre uses of which it identifies that intensive uses such as health and fitness centers are town center uses. Although no specific reference is made to doctor's surgeries, the proposal incorporates three existing practices and is likely to attract a high number of visitors. On this basis the proposal is considered to be an intensive use in line with PPS6.
14. Annex A table 2 of PPS6 sets out that for other Town Centre Uses, 'edge of centre' is likely to be within 300m of the Town Centre Boundary. It also states that in determining whether a site falls within the definition of edge-of center consideration should also be given to local circumstance such as topography and barriers which may affect connectivity to the site. In assessing the application site it is important to note that it does lie within 250m of Billingham Town Centre and although the Dual Carriageway of the Causeway separates the site from the Town Centre there are several crossing points providing safe access to and from the Town Centre. The pedestrian linkage from the Town Centre is also reasonably flat and considered to be a safe and secure connection to the site. For these reasons it is considered that the site can

be classed as an 'edge of centre' location and notwithstanding the sites current land use, is an acceptable location for a doctor's surgery.

15. Although the proposed development includes the provision of a Pharmacy (use class A1) outside of the defined Town Centre boundary, it is considered that it is ancillary to that of the main use of the building as a doctor's surgery. The proposal is therefore not considered to pose significant harm to the vitality or viability of Billingham Town Centre. To ensure that the premise does not revert to another use within the A1 classification its proposed use can be controlled via a planning condition.
16. The principle of a doctor's surgery on the site in terms of its location is therefore considered to be acceptable subject to the other material planning considerations and policies set out in this report.

Loss of Playing Field;

17. Saved policy REC1 of the Local Plan states that development which results in the permanent loss of playing space will not be permitted unless sports and recreation facilities can be retained and enhanced through the development of a small part of the site; or alternative provision of equal community benefit is available; or the land is not required to satisfy local needs.
18. Whilst the concerns of the local resident with regards to the loss of the recreational area are noted, Sport England has considered the information provided and noted the developer's intension to enter into a section 106 agreement for £126,000. Subsequently, they are satisfied that the proposal meets one of the exceptions to Playing Pitch policy in that playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of equivalent or better quality and or equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements
19. The Leisure and Sports Development section of the Council have recently completed a draft of a Playing Pitch Assessment/ Action plan for the borough which suggests that there is no need to replace the playing pitch provision within Billingham. However, it has been identified that there is the need to improve the quality of the some of the existing Council playing pitch facilities as in general they are below standard or could be further enhanced.
20. It is therefore considered that subject to the developer entering into a section 106 agreement for a commuted lump sum towards the enhancement of existing playing pitch provision that the loss of the existing sports pitch is not contrary to saved policy REC1 or Planning Policy Guidance 17.

Character of the area;

21. Within the immediate area there are a range of building styles, though they are predominately two-storey in nature with a range of building materials. The external appearance for the proposed building is of a modern design and incorporates the use of red brick and render with grey roof tile, offering a more traditional approach, helping the proposal to fit into the character of the surrounding area.
22. Although the scale of the frontage of building is larger than the majority of the properties surrounding the site, the different elements of the structure, such as set back in the roof, the stairwell and single storey projection will help to break up the mass of the building. In addition the 60-65m set back from Finchale Avenue will also help to reduce its overall impact within the street scene.

23. Overall the proposed development is considered to be acceptable in terms of its scale, massing and use of materials, will provide a decent standard of design and will not harm the character of the area as a whole. .

Landscaping features;

24. At present the application site is an area of open space predominately laid to grass, where the remnants of the former running track can still be seen. A few trees are located on the eastern edge of the former running track though only one falls within the application site.

25. The Council's Landscape Officers have considered the information provided and consider that the plant species choice, including the spacing's and plant sizes is generally acceptable. It is suggested that larger trees should be used oak to give the landscape scheme a greater long-term impact. A full planting plan with landscape specification and maintenance programme is however, requested and can be agreed through a planning condition. .

26. The proposed variety in hard landscape surfacing materials is welcomed and will provide an attractive entrance to the centre, though again these details can be formally agreed through a planning condition.

27. Overall the proposed landscaping scheme is considered to enhance both the setting of the proposed building and will add further interest within the street scene. Improving the character of the area.

Amenity of neighbouring occupiers;

28. The side (south) elevation of the proposed development reduces from two storeys down to a single storey at the rear (western elevation) and is situated in excess of 21m from the rear wall of the newly constructed properties of the former Billingham College site. Given the distance, scale of the building and its use, it is not considered that the proposal will have any adverse impacts on the amenity or privacy of these neighbouring occupiers.

29. With regards to the remaining residential properties the proposal is in excess of 80 metres from these dwellings, again it is considered that the proposal will not be overbearing or have any adverse impacts on the amenity or privacy of these neighbouring occupiers.

30. It is accepted that the proposed development may cause some noise and disturbance in the short to medium term during construction of the proposal; it is therefore considered that a planning condition to control construction hours is necessary.

Access and Highway Safety;

31. The Head of Technical Services has considered the information supplied against the Council's Design Guide and Specification and Supplementary Planning Document 3: Parking in New Developments.

32. A Transport Assessment has been submitted with the application that has been carried out to the latest guidance and describes the expected trip generation, capacity analysis and sustainability of the site, it is considered that this is acceptable.

33. It is noted that the proposed health centre is to accommodate 3 Doctor's practices and a total of 14 GPs and other medical staff. Whilst the Councils parking standards state that a total of 85 spaces should be provided, the provision of 81 spaces is acceptable since it is close to the maximum provision, the sustainability of the site and its close proximity of the town centre. It is also noted that 30 cycle parking spaces that are conveniently located within the site and are both covered and secure.

34. Concerns have been raised over the width of the access as the radius of the kerb gives a large bell mouth access for pedestrians to cross. The required reduction in the kerb radius can be addressed via a planning condition. Manoeuvrability and reversing within the site is considered to be acceptable, although provision for recycling facilities is required, this can also be addressed via a planning condition,
35. A Travel Plan framework has been produced for the development in accordance with the latest government guidance. Although the travel plan framework has been updated further changes are required to ensure that there is maximum possibility of influencing the travel choices of employees prior to the relocation. Should these not be received prior to committee then a condition should be included that allows for the revision of the Travel Plan framework as well as the implementation of the full travel plan.
36. Although some minor amendments are required, the general access and parking arrangements for the development are considered to be acceptable. The development is therefore not considered to pose any significant risks to highway safety.

Public Safety;

37. Through the Health and Safety Executives (HSE) PADHI+ consultation system, it is advised that the HSE do not on safety grounds advise against the granting of planning permission in this instance. The proposal is therefore considered to accord with saved policy EN39 of the adopted Stockton on Tees local Plan in this respect.

Impact on protected species;

38. A protected species report has been submitted which shows that the site does not support any protected species, and with the exception of an existing tree in the north-east corner (Horse Chestnut) of the site which may be used for breeding birds, the site is considered to have very limited nature conservation value.
39. To ensure that any breeding birds are protected a planning condition can be imposed to prohibit the tree being felled in the Bird breeding season (March-September), unless a qualified ecologist can demonstrate otherwise. The scheme is therefore considered to accord with PPS9.

Residual Issues;

40. Concerns have been received from one resident with regards to the undeveloped land being separated from the application site to prevent this becoming an overflow parking area. Whilst these concerns are noted, it is considered that the car parking provided is sufficient to meet the required standards. In terms of separating the development from the surrounding land, details for any means of enclosure can be addressed via a planning condition.

CONCLUSION

41. The application site is within easy walking distance of Billingham Town Centre and is well served by a range of transport means. The proposed development is therefore considered to be in an accessible and sustainable location.
42. Whilst the proposal will result in the loss of the former running track, it is within private ownership and significant funds will be provided to improve and enhance existing playing fields elsewhere in Billingham. Sport England are satisfied that this is an acceptable mitigation approach, subject to the developer entering into a section 106 agreement to secure the required heads of terms.
43. The proposed development is considered to be of a modern design with the use of materials complementing the more traditional materials elsewhere in the surrounding area and

associated landscaping enhancing the area. The development is also considered not to have any significant impacts to existing levels of residential amenity, highway safety, public safety or protected species.

44. The proposed development is therefore considered to accord with national planning guidance and saved policies GP1, EN39 and REC1, consequently it is recommended that the application be Approved with Conditions subject to the developer entering into a Section 106 agreement for the reasons specified above.

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

Financial Implications.

None

Environmental Implications.

As report.

Community Safety Implications.

As report

Human Rights Implications.

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

Background Papers.

Stockton on Tees Local Plan

Tees Valley Structure Plan

Planning Policy Statement 1; Delivering Sustainable development

Planning Policy Statement 6; Planning for Town Centres

Planning Policy Statement 9; Biodiversity and Geological conversation

Planning Policy Guidance 17: Planning for open space, sport and recreation

Planning Applications 06/1983/OUT & 07/0858/REM

WARD AND WARD COUNCILLORS

Ward Billingham Central

Ward Councillor Councillor B Woodhouse & Ann McCoy