

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

6 October 2010

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

10/1809/FUL

Stockton Sixth Form College, Bishopton Road West, Stockton-on-Tees

New two storey teaching block extension linked into the rear of an existing maths teaching block to provide a mixture of science and IT labs to replace existing labs within the college.

Expiry Date: 12 October 2010

SUMMARY

This application is returned to Members for consideration following the resolution to defer the application for a site visit at the previous meeting on the 15th September 2010.

The application site lies within the southern area of the college site with residential properties immediately to the south (Chivers Court and Meridian Way). The Sixth Form College site lies on the corner of Oxbridge Avenue and Bishopton Road West. The playing fields occupy the eastern area of the site, adjacent to Oxbridge Avenue. The existing college buildings occupy a central location within the site and main parking provision in the western area of the site.

Planning permission is sought for the erection of a two storey teaching block extension in the southern area of the college site to provide a mixture of science and IT laboratories, the proposed building will link into the maths building. The proposed laboratories are to replace existing laboratories within the college (which are to be mothballed pending future redevelopment) and do not aim to increase the maximum number of students enrolled within the college.

The proposed development is considered to be visually acceptable and will not have any significant impacts on the amenity of the neighbouring occupiers or pose any significant threat to highway safety. The proposed development is therefore considered to be acceptable in planning terms.

RECOMMENDATION

Planning application 10/1809/FUL be Approved subject to the following conditions;

Approved Plans

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
S2010	9 July 2010
G7-001	9 July 2010

G4-301	9 July 2010
G4-302	9 July 2010
G24-P-001	9 July 2010
G25-E-002	9 July 2010
G25-P-001	9 July 2010
G25-E-003	9 July 2010
G25-X-001	9 July 2010
G25-X-002	9 July 2010
G1-P-002	13 July 2010

Reason: *To define the consent.*

Materials;

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.*

Hard Landscape works;

03 *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.*

Soft landscaping works;

04 *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.*

Landscape maintenance;

05 *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.

External lighting:

06 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

Site and floor levels:

07 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

Construction Activity:

08 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.

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

Unexpected land contamination:

09 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.

Tree Protection

10 Details of a scheme in accordance with BS5837, 2005 to protect the existing trees and vegetation shall be provided to the satisfaction of the Local Planning Authority. Such a scheme shall include details of a protective fence of appropriate specification extending three metres beyond the perimeter of the canopy, the fence as approved shall be erected before construction commences and shall be maintained to the satisfaction of the Local Planning Authority throughout the entire building period.

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

Renewables / CO2

11. No development shall take place until the Local Planning Authority has approved in writing a report to be provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by a minimum of 10% through either the use of on-site renewable energy equipment or through improved plant and machinery. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. The approved scheme shall be implemented and brought into use within 3 months of the development hereby approved being brought into use and shall remain in place and operational in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with the sustainable development requirements of Policy CS3 of the adopted Core Strategy

INFORMATIVES

General policy conformity:

The proposal is also considered to be 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.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel; Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change; and Core Strategy Policy 6 (CS6) - Community Facilities

Retained trees prohibited works:

The applicant is advised that the following works to the retained trees are not allowed under any circumstances;

- ❑ No work shall commence until the approved Tree Protection Barriers are erected.
- ❑ No equipment, signage, structures, barriers, materials, components, vehicles or machinery shall be attached to or supported by a retained tree.
- ❑ No fires shall be lit or allowed to burn within 10 metres of the canopy spread of a tree or within the Root Protection Zone.
- ❑ No materials shall be stored or machinery or vehicles parked within the Root Protection Zone.
- ❑ No mixing of cement or use of other materials or substances shall take place within the Root Protection Zone or within such proximity where seepage or displacement of those materials or substances could cause them to enter the Root Protection Zone.
- ❑ No unauthorised trenches shall be dug within the Root Protection Zone.
- ❑ No alterations or variations to the approved works or tree protection schemes shall be carried out

Informative associated with 10% renewables condition

The scheme of CO2 reduction (as required by condition) needs to demonstrate a reduction in the predicted CO2 emissions of the development by at least 10% through the use of on-site renewable energy equipment, or alternative measures. These savings need to be above and beyond what is required to comply with Part L Building Regulation

BACKGROUND

1. Over the course of time there have been a number of applications for extensions and other more ancillary forms of development at the application site. Most relevant to this part of the site are approvals for a two storey extension to provide 10 no. classrooms, 2 no staff study

bases and student WC facilities (ref 02/2281/P) and for 2 no. temporary classrooms and creation of additional car parking spaces (ref 07/1964/FUL).

2. Members may also be aware that more recently planning approval was granted for the demolition of the existing college and replacement with two/three storey building, linking into the existing sports hall (ref 08/2400/FUL). Due to issues over funding the development this project is not being progressed at the present time.

PROPOSAL

3. Planning permission is sought for the erection of a two storey teaching block extension in the southern area of the college site to provide a mixture of science and IT laboratories, the proposed building will link into the maths building (approved in 2003). The proposed laboratories are to replace existing laboratories within the college (which are to be mothballed pending future redevelopment) and do not aim to increase the maximum number of students enrolled within the college.
4. The dimensions of the proposal will measure a maximum of approximately 38m (l) x 19.8m (w) x 9.5m (h).

CONSULTATIONS

5. The following Consultees were notified and any comments received are set out below:-

Local Ward Councillor - A Cockerill

I have concerns about the above planning application;

Along with residents, I feel it is too close to the houses on the Bramley Green site partly due to the extension being used for 'laboratory' purposes and any danger this may entail.

An additional concern is the actual size, which I feel is overbearing and will detract from the open plan design of the housing estate, is it not possible for the buildings to be sited further to the side of the college and not mainly at the rear?

Therefore I object to the application

Local Ward Councillor – P Broughton

I have several concerns on this application

I agree with the residents that the college site is far too close to the houses on Bramley Green. A further concern is also with the scale and size of the building which will have a big impact on the character and amenities of the local area. A number of residents at the back of the application will lose their privacy. A point which is concerning is that a number of residents have said that they have not been consulted on this application which if correct is not right and should not be happening everyone affected should be consulted. I think a site visit would be helpful and I request that one takes place. In summary I believe when the local opinion is against an application, when residents and all the councillors are against it then the application should be looked at again.

Head of Technical Services

General Summary

We have no objections to the development subject to the comments below.

Highways Comments

The development proposes no change to the current access arrangements or the current 177 car parking provision for staff, students and visitors. The submitted information does not

provide details of staffing and student numbers, however documents submitted with the application indicate that there is currently provision for the parking of 20 cycles. Additional cycle parking along with the opportunity to work with the college on the implementation of a travel plan would be welcomed.

Landscape & Visual Comments

We have no objections to the application as the new build will be screened and softened from the existing houses to the south by the planted landscape bund. The new build is also viewed from the south against a backdrop of existing college buildings. A fully detailed planting plan is requested as detailed in the condition wording below in the informative section.

The contractor's secondary additional compound area just south east of the development site is near some existing trees which must be fully protected during any site works. Similarly those trees existing on the northern boundary east of the caretaker's cottage must also be protected if any works are planned here to provide temporary parking for the contractor. To this effect suggested condition wording is provided below in the informative section.

INFORMATIVE

LANDSCAPING HARDWORKS
EXISTING AND PROPOSED LEVELS
SCHEME FOR ILLUMINATION
LANDSCAPING SOFTWORKS
TREE PROTECTION
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.

Sport England

Sport England does not wish to object to this application

Northern Gas Networks

No objections

Northumbrian Water Limited

The drawings show surface water drainage connecting to watercourse not public sewer so is not of concern to Northumbrian Water.

PUBLICITY

6. Following consultation with neighbouring residents by letter, the display of a site notice and press advert a total of 6 no. objections were received to the application. These comments are summarised below:

Objectors;

D E Hayward (Chivers Court)
G Irish (4 Chivers Court) Stockton-on-Tees
Mr J Bell (30 Meridian Way)
James Horsley (28 Meridian Way)
Mr A Aspin (36 Meridian Way)
Mr Jeremy McMurray

Objections;

The scale and design of the building is obtrusive invasive and overbearing
Loss of privacy
Greater noise levels and security issues
Surface water runoff
Devaluation of our property
Concerns over level of consultation
Cul-de-sac turning into pedestrian route to the college
Severely affect the amount of light

PLANNING POLICY

7. 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 Plan is the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP).
8. The following planning policies are considered to be relevant to the consideration of this application:-

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.

2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.
Further guidance will be set out in a new Supplementary Planning Document.

4. Initiatives related to the improvement of public transport both within the Borough and within the Tees Valley sub-region will be promoted, including proposals for:

- i) The Tees Valley Metro;
- ii) The Core Route Corridors proposed within the Tees Valley Bus Network Improvement Scheme;
- iii) Improved interchange facilities at the existing stations of Thornaby and Eaglescliffe, including the introduction or expansion of park and ride facilities on adjacent sites; and
- iv) Pedestrian and cycle routes linking the communities in the south of the Borough, together with other necessary sustainable transport infrastructure.

5. Improvements to the road network will be required, as follows:

- i) In the vicinity of Stockton, Billingham and Thornaby town centres, to support the regeneration of these areas;
- ii) To the east of Billingham (the East Billingham Transport Corridor) to remove heavy goods vehicles from residential areas;
- iii) Across the Borough, to support regeneration proposals, including the Stockton Middlesbrough Initiative and to improve access within and beyond the City Region; and
- iv) To support sustainable development in Ingleby Barwick.

6. The Tees Valley Demand Management Framework will be supported through the restriction of long stay parking provision in town centres.

7. The retention of essential infrastructure that will facilitate sustainable passenger and freight movements by rail and water will be supported.

8. This transport strategy will be underpinned by partnership working with the Highways Agency, Network Rail, other public transport providers, the Port Authority, and neighbouring Local Authorities to improve accessibility within and beyond the Borough, to develop a sustainable

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.

2. All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.

3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.

4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.

5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.

6. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.

7. Where suitable proposals come forward for medium to small scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document.

8. Additionally, in designing new development, proposals will:

_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;

_ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;

_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;

_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

9. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

Core Strategy Policy 6 (CS6) - Community Facilities

1. Priority will be given to the provision of facilities that contribute towards the sustainability of communities. In particular, the needs of the growing population of Ingleby Barwick should be catered for.

2. Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.

3. The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document.

4. Support will be given to the Borough's Building Schools for the Future Programme and Primary Capital Programme, and other education initiatives, the expansion of Durham University's Queen's Campus, and the provision of health services and facilities through Momentum: Pathways to Healthcare Programme.

5. Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location, through initiatives such as the Extended Schools Programme.

SITE AND SURROUNDINGS

9. The Sixth Form College site lies on the corner of Oxbridge Avenue and Bishopton Road West. The playing fields occupy the eastern area of the site, adjacent to Oxbridge Avenue. The existing college buildings occupy a central location within the site and main parking areas in the western area of the site. Within the site there are several large mature trees which due to the high amenity value for the surrounding area have been covered by a Tree Preservation Order.

10. The application site lies within the southern area of the college site, a dated 1960's building lies immediately to the north of the site with a more modern extension to the west. Residential properties lie immediately to the south of the site with those of Chivers Court predominately being closest to the application site. An area of open space as well as a significant change in levels (approx 3 metres) separates the application site from this new residential development. To the east of the site lies the college's sports fields with the residential properties of Oxbridge Avenue situated on the opposite side of the highway.

MATERIAL PLANNING CONSIDERATIONS

11. The main planning considerations of this application are compliance with planning policy and the impacts of the development on the character of the area; the amenity of the neighbouring occupiers; and access and highway safety.

Principle of Development;

12. The application site lies within the limits to development and has a permitted educational use. The proposal seeks an extension to the existing educational facilities and the principle of development is considered to be acceptable subject to the criteria set out in policies CS2, CS3 and CS6 of the Core Strategy,

Sustainability;

13. The proposed development has been designed to achieve a BREEAM rating (Building Research Establishments Energy Assessment Method) of "very good" which should provide
 - ❑ a low environmental impact building
 - ❑ best environmental practice
 - ❑ a design that will reduce running costs and improve working environments
14. As part of the overall sustainable design of the buildings, other energy efficient systems will be incorporated, however as full details of these efficiency measures have not been submitted a condition has been recommended relating to 10% on site renewables, details of which are to be submitted for consideration.

Character of the area;

15. Within the immediate area are a 1960's style three storey flat roof building and a more modern two storey pitch roof building, both providing teaching accommodation for the college. The proposed two storey extension is of a similar size and scale to these elements of the college buildings and its scale and massing is therefore considered to be appropriate.
16. The design of the extension takes influence from the extension approved in 2003 (ref 02/2281/P) in terms of the use of materials, rhythm of apertures and overall design composition. The proposal will therefore sit well with the previous extension to the college and not harm the visually amenity of the locality.
17. Comments have been made by the Local Ward Councillor in relation to the proposal detracting from the open plan design of the housing estate. Whilst these comments are noted, the development is set back (to the north) by approximately 65 metres from the street on Meridian Way and Chivers Court and will be screened to a large extent by the change in levels, the housing development and landscaping. The proposal is therefore not considered to be prominent or overbearing within the street scene, or effect the open plan nature of the housing development.
18. Given the above the scale, massing and design of the building are judged to be acceptable and will not result in any significant harm to the character of the site or the surrounding area. The proposal therefore accord with Core Strategy Policy CS3 in this respect.

Amenity;

19. It is acknowledged that there is a significant change in levels between the application site and the new residential development to the south (with the housing development being set approximately 3 metres below the application site). The proposed development will be also set back from the rear walls of these dwellings by approximately 40 metres. Given the combination of the change in levels and distance it is not considered that the proposed development will have an overbearing impact on these residential properties.
20. Objections are raised that the proposed development will result in a significant loss of light to the neighbouring residential properties and garden on the 'Bramley Green' development. However, owing to the movement of the sun, the separation distance and the fact that the proposed development lies to the north of these properties, it is considered extremely unlikely that the proposal will cause any significant loss of light to these premises.
21. As set out earlier the college buildings are set back from the neighbouring properties to the south by 40 metres, well in excess of the Council's minimum distance of 21 metres. It is also important to note that the proposal is for an education use where the primary activities will occur during normal working hours. On this basis the proposal is not considered to result in any significant impacts on the privacy of these residents. Properties to the east of the site (Oxbridge Avenue) are in excess of 150m and it is also considered that there are no significant impacts on the amenity of the occupiers of these properties.
22. Concerns have also been raised with regards to noise and disturbance from the development. However, it is important to note that the College has long since been established on the site and was in place before the residential properties were constructed. Furthermore the proposal does not intend to increase the student numbers at the site, but provide replacement accommodation. It is accepted that some noise and disturbance may occur during construction, this can however be controlled through the use of a planning condition to control hours of construction and ensure an acceptable level of amenity is preserved for the neighbouring occupiers.
23. Given the above considerations, the proposed development is not judged to have any significant impacts on the amenity levels of the surrounding neighbouring properties so as to warrant a refusal of the application.

Access and Highway Safety;

24. The Head of Technical Services has noted that the development proposes no change to the current access arrangements or the existing parking provision. Whilst the submitted information does not provide details of staffing and student numbers, documents submitted with the application indicate that there is currently provision for the parking of 20 cycles. The Head of Technical Services would welcome the opportunity to work with the college on the implementation of a travel plan and provision of additional cycling.
25. Concerns raised in relation to the cul-de-sac on Meridian Way being used as a pedestrian route to the college are noted. However, the application site is fenced off at this location with no direct access into the proposed building.
26. On the basis of the above the proposed development is not judged to pose any significant threat to pedestrian or highway safety.

Residual Issues;

27. Whilst the comments in relation to the level of consultation are noted, all those properties that bound or lie immediately adjacent to the site were consulted. In addition to this level of consultation a site notice and advertisement were also placed in the press. Following a site visit it was evident that those properties which lie further within the new residential development are

unlikely to have a limited view of the development or that any significant impacts in planning terms should occur. The level of neighbour consultations carried out is considered appropriate having regard to the nature of the application and those properties that are considered to be directly affected by development proposals and this can only be determined on a case-by-case basis.

28. Comments from the Local Ward Councillor in relation to the risk to public safety from the proposed laboratory are duly noted. However, any hazardous substances would require separate consent and the Local Authority has no records that suggest such substances are currently stored on the site. Bearing in mind the proposal involves the relocation of the existing laboratory the risk to the public is not considered to be significantly worse than the existing situation.
29. Northumbrian Water have noted that the surface water drainage discharge differs from previous correspondence, However, the previous correspondence re surface water drainage to the watercourse formed part of a discharge of condition as part of the redevelopment of the whole site. The drainage works are likely to link into existing connections and will be a matter for building regulations.
30. Concerns raised over a loss in property value are duly noted; however this is not a material planning consideration and cannot be taken into account during the determination of this application.

Human Rights Implications:

31. The aim of the European Convention of Human Rights 1950 is to give people who live in European states a list of civil and political rights which the member states of the Council of Europe believed every person in Europe should expect to have. The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report and the proposed development is not considered to contravene these basic rights and freedoms which are set down in the Convention.

Community Safety Implications:

32. Section 17 of the Crime and Disorder Act 1998 places a duty on the authority to consider the crime and disorder implications of the proposal. The site is surrounded by residential properties and will benefit from a degree of natural surveillance. Appropriate means of enclosure are on site and the application site is secure. The proposal is therefore considered to be appropriate with respect to Secure by Design standards, Section 17 of the Crime and Disorder Act (1998) and the requirements of Policy CS3

CONCLUSION

33. In considering the above, the proposed development is considered to be visually acceptable and will not have any significant impacts on the amenity of the neighbouring occupiers or pose any significant threat to highway safety. The proposed development is therefore considered to be acceptable in planning terms, accords with relevant planning policies and is subsequently recommended for approval subject to the conditions set out earlier in this report.

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

WARD AND WARD COUNCILLORS

**Ward
Ward Councillor**

**Grangefield
Councillor P Broughton & A Cockrill**

IMPLICATIONS

Financial Implications.

None

Environmental Implications.

As report.

Community Safety Implications.

As report

Human Rights Implications.

As report

Background Papers.

Stockton on Tees Core Strategy

Planning Policy Statement 1; Delivering Sustainable development

Planning Applications 02/2281/P; 07/1964/FUL; and 08/2400/FUL