

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**12 January 2011**

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

**10/2833/RNW**

**Land at Teesside Industrial Estate, Thornaby, Stockton On Tees**

**Application for a new planning permission to replace an extant planning permission**

**(07/1416/FUL / APP/H0738/A/07/2058599 - New roundabout junction on the A174) in order to extend the time limit for implementation.**

**Expiry Date: 31 January 2011**

### **SUMMARY**

Planning permission was granted on appeal for the construction of a new roundabout access onto the A174 from Teesside Industrial Estate with ancillary works including a secondary roundabout within the estate, a link road and associated earthworks. The development would result in the loss of two small sections of woodland and grassed sections of the A174 road corridor.

The appeal was approved on the 26<sup>th</sup> February 2008 with a condition attached which required commencement of the scheme to be within 3 years i.e. by the 26<sup>th</sup> February 2011. It therefore remains possible to implement this permission although this application has been submitted to renew the earlier approval, thereby extending the time limit for implementation to the 26<sup>th</sup> February 2018.

A total of 7 letters of objection have been received from residents as well objections being raised by Councillors and Parish / Town Councils. Objections to the scheme include the detrimental impact of noise, air and light pollution as a result of the traffic coming closer to properties in Marykirk Road and as a result of the traffic slowing, turning, accelerating and queuing at this point. Other objections relate to the impact on the existing tree cover, the ancient woodland and wildlife and a comment made as to whether this will actually improve the traffic situation or make congestion worse. One letter of support was received based on the improvements the scheme would bring to traffic movements.

The Head of Technical Services considers that the proposed amendments should improve the flow of traffic in the area whilst reduced traffic speeds and the provision of more formalised point to cross the A174 for pedestrians should improve safety. Noise, light and air pollution as a result of the development would not be significantly different from existing and are therefore considered to be acceptable.

Impact on existing tree cover and habitat will be relatively limited and can be adequately mitigated against by controlling conditions.

A Section 106 Agreement was previously considered necessary by both officers and the Planning Inspectorate which would provide a bond for future highway works internally within the Industrial Estate should it be found that the new access results in the Industrial Estate being used as a short cut for non industrial estate traffic. It is considered that the need for this remains and is detailed within the Heads of Terms.

It is considered that the proposal to renew the currently approved development would therefore be in accordance with the requirements of the relevant Local Plan and Core Strategy Development Plan Policies.

## **RECOMMENDATION**

Recommended that application 10/2833/RNW be approved subject to a Section 106 Agreement and conditions as detailed below.

Should the Section 106 Agreement not be signed by the 30<sup>th</sup> January 2011 then the application be refused due to their being no adequate provision made for offsite highway works as detailed within the Heads of Terms.

### **01 Commencement Date**

*The development hereby permitted shall begin no later than the 28<sup>th</sup> February 2018.*

*Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).*

### **02 Approved Plans**

*The development hereby approved shall be in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
0001	10 <sup>th</sup> May 2007
2053	10 <sup>th</sup> May 2007
TR/H/001	10 <sup>th</sup> May 2007
TR/H/002	10 <sup>th</sup> May 2007
AL(0)2300	10 <sup>th</sup> May 2007
AL(0)2200	10 <sup>th</sup> May 2007

*Reason: To define the consent.*

### **03. Landscape Provision and Protection**

*No trees or landscaping on the site shall be lopped, topped, pruned or felled and no development hereby approved shall be commenced until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall detail the following;*

- a) Hard and soft landscaping including footpaths,*
- b) Soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.*
- c) Areas of landscaping to be retained and a scheme for their protection in accordance with BS5837 2005 (Trees in relation to construction).*
- d) Areas of level change,*
- e) Precise locations of protective fencing,*
- f) Areas of material storage within the site, and*
- g) Excavations required for service runs.*

*The development shall be carried out in accordance with the approved details. Planting works shall be carried out during the first planting and seeding season following the substantial completion of the development, and any trees or plants which within a period of five years from the date of planting, die are removed or become seriously damaged, shall be replaced with others of a similar size and species in the next planting season unless the Local Planning Authority gives written consent to any variation.*

*Reason: In the interests of visual amenity and to accord with Core Strategy Policy CS3 Sustainable Living and Climate Change.*

**04. Ecological Survey**

*No development shall take place until details of an ecological survey and associated mitigation scheme have been submitted to and approved in writing by the local planning authority. The development and its management shall be carried out strictly in accordance with the approved scheme and mitigation.*

*Reason: In order to take proper account of protected species on the site in accordance with Core Strategy Policies CS3 Sustainable Living and Climate Change and CS10 Environmental Protection and Enhancement.*

**05. Scheme of Surface Water Drainage**

*No development shall take place until details of a scheme for the disposal of surface water and a surface water run off limitation scheme have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented on site prior to the development being brought into use.*

*Reason: In order to ensure adequate drainage of surface water from the scheme is achieved and prevent any flooding of the surrounding environment in accordance with Core Strategy Policy CS10 Environmental Protection and Enhancement.*

**06. Noise Assessment**

*Within three months of the works hereby approved being brought into operation a noise assessment scheme and mitigation plan shall be submitted to and approved in writing by the local planning authority. Any mitigation identified within the scheme shall be carried out within 6 months following the approval in writing from the local planning authority.*

*Reason: In order to adequately address any impacts of increased noise generation on the occupants of nearby residential properties in accordance with Core Strategy Policy CS3 Sustainable Living and Climate Change.*

**07. Construction Hours**

*During construction of the scheme hereby approved there shall be no development works undertaken outside the hours of 7.00a.m. - 6.00p.m. weekdays, 8.00a.m. - 3.00p.m. Saturdays and at no times on Sundays or bank holidays.*

*Reason: To avoid excessive noise and disturbance to the occupants of nearby properties.*

**08. Lighting Scheme**

*Notwithstanding details hereby approved, there shall be no lighting provided for the roundabout other than that which is detailed within a scheme of lighting to be submitted to and approved in writing by the Local Planning Authority.*

*Reason: In order to prevent undue light pollution into the residential properties to the north of the site in accordance with Core Strategy Policy CS3 Sustainable Living and Climate Change.*

## **INFORMATIVES**

The proposed scheme has been considered against the policies and documents identified below. It is considered that the scheme accords with these documents as the proposal does not lead to an undue loss of privacy or amenity for the nearest residents, is of an appropriate development type within this location and will support the economic improvement of the industrial estate. The scheme would not lead to an undue impact on highway safety, wildlife habitat or the immediately surrounding environment. There are no material planning considerations, which indicate that a decision should be otherwise, therefore the application is recommended for approval.

Stockton on Tees Local Plan Policy IN1 – Mixed Industrial Sites  
Core Strategy Policy 1 (CS1) - The Spatial Strategy  
Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel  
Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change  
Core Strategy Policy 4 (CS4) - Economic Regeneration  
Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement

PPS1: Delivering sustainable development  
PPS 9: Biodiversity and Geological conservation

## **HEADS OF TERMS**

Prior to the commencement of the development, the developer shall pay a bond of £10,000 to the Local Planning Authority for the purposes of undertaking a highway improvement scheme within Teesside Industrial Estate, should such a scheme be required.

## **BACKGROUND**

1. Application 06/3081/FUL, for the provision of a new roundabout and access onto the A174 was refused planning permission on the 13th December 2006 for the following reasons:-
  - a. *In the opinion of the Local Planning Authority, the proposed development would have an unacceptable impact on the privacy and amenity of the occupiers of nearby properties as a result of the increased traffic noise without any clear evidence of mitigation, being contrary to Policy GP1 of the Stockton on Tees Local Plan.*
  - b. *In the opinion of the Local Planning Authority, it is considered that the supporting information within the planning application has not satisfactorily demonstrated that the roundabout would not impact on the free flow of traffic on the A174 Parkway extension and is therefore considered to be detrimental to traffic movement and highway safety, being contrary to Policy GP1 of the Stockton on Tees Local Plan.*
2. A further application was submitted (07/1416/FUL) for the provision of a new roundabout and access onto the A174. There was an officer recommendation to approve the scheme, although this was refused planning permission on the 9<sup>th</sup> August 2007 for the following reasons:-
  - a. *In the opinion of the Local Planning Authority, it is considered that the supporting information within the planning application has not satisfactorily demonstrated that the roundabout would not impact on the free flow of traffic on the A174 Parkway extension and is therefore considered to be detrimental to traffic movement and highway safety, being contrary to Policy GP1 of the Stockton on Tees Local Plan.*

- b. In the opinion of the Local Planning Authority, the proposed development would have an unacceptable impact on the privacy and amenity of the occupiers of nearby properties as a result of the increased traffic noise without any clear evidence of mitigation, being contrary to Policy GP1 of the Stockton on Tees Local Plan.*
3. This decision was appealed and the appeal was upheld (permission granted) on the 26<sup>th</sup> February 2008. Conditions were imposed in respect to the following; Commencement date, approved plans, surface water drainage, ecological survey work, noise assessment, landscaping, construction hours and lighting. The condition imposed in respect to the commencement of works required this to be within 3 years of the permission being granted i.e. on or before the 26<sup>th</sup> February 2011. This permission therefore remains capable of implementation.

## **PROPOSAL**

4. Planning permission is sought to renew an existing planning approval for the construction of a new access onto the A174 at Thornaby from Teesside Industrial Estate and allow commencement of the scheme up to the 26<sup>th</sup> February 2018. The works include the provision of a new roundabout onto the A174, a new roundabout internally within the industrial estate and a new dual carriageway extension off Fleck Way connecting the two. Ancillary development includes bunding earthworks and the creation of a footpath link from the industrial estate, across the roundabout and connection into the existing footpath to the north of the site. Works indicate an existing ditch would be piped under the new roundabout.
5. The previously approved plans indicated the possible future provision of dual carriageways along the A174 which demonstrates that the roundabout has been designed to accept improvement in the future should it be required. However, the duelling of the A174 is not part of the approved scheme and is therefore not part of this current proposal.
6. The initial application was supported with Transport, Noise, Flood Risk and Air Quality Assessments.
7. The scheme is intended to provide traffic relief to the existing Thornaby Road / Ingleby Way roundabout as well as to the Thornaby Road / Parkway extension. It is suggested that the scheme will reduce vehicle mileage on the primary road network and discourage industrial estate traffic from going through Ingleby Barwick by providing a more direct access to the A19. It would also allow further development within the Industrial Estate, thereby increasing commercial opportunity.

## **CONSULTATIONS**

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

### **Councillor S F Walmsley**

I would like to formerly object to this application on the grounds that the same extremely pertinent concerns exist. I am also appalled that SBCs Planning Committee twice turned down an application to build this roundabout adjacent to Teesside Industrial Estate on the grounds that it would impede the flow of traffic on both the congested A19 and A174, destroy woodland and habitat, and most importantly, blight the lives of residents living nearby with a whole plethora of traffic related, quality of life issues including light and toxic pollution, but all to no avail.

The developers subsequent appeal to the Planning Inspectorate was incredibly upheld after an Inspector was dispatched to appraise the situation. This Inspector, unelected and typically unaccountable, scandalously sided with the developer (and Planning Officers) by overturning two

decisions made by democratically elected members. The Inspector did so without going anywhere near to the households affected.

I have lived in my present home which backs on to the section of the A19 which stretches from the Mandale Interchange to the Parkway (A174) Interchange for 25 years and so can safely say that I have more experience of traffic congestion in this location than the Inspector or in fact many highways experts who tend to rely on data rather than everyday experience.

Throughout the time of living at my present address, I have witnessed Thornaby being effectively reduced to the status of a highly polluted super roundabout and regional thoroughfare as the towns built and natural environment has been sacrificed for what is often described as beneficial to the sub region as a whole at the repetitive and damaging expense of our individual community well being. This latest attack is both nonsensical and further testament of routine dismissal of local accountability.

Day after day in all of those years, I have watched from the rear of my property traffic which has increased substantially - often causing jams which inevitably bring the local road network to a standstill. Such is the knock on effect. My wife, who uses the A19 daily, often calls to ask if traffic is flowing freely or whether she should seek an alternative route.

It was for this reason that the decision to widen the A19 was made, but even that miracle solution had little effect. Long tailbacks still occur and should there be an accident or breakdown, the effect is gridlock often alleviated by dangerously re-routing vehicles through the streets and roads of Thornaby. The repercussions of restricted traffic movement on the A19 and arterial roads, invariably results in a nightmare situation for all Thornaby residents! Consequently, because of this and all of the aforementioned environmental, health, safety and well being concerns that I once again feel it is my duty to register my objection to this nonsense and hope that common sense and local well founded opposition is listened to rather than the usual contemptuous dismissal.

#### Councillor E Craggs

I write to fully support my colleague Cllr. Sylvia Walmsley in her written objection to the above;

I would add that the house properties which will be directly affected by the new roundabout re dispersal of water, these properties were built on shale, the concern was placed in the original planning application but never answered.

For information; the Stainsby Hill ward part of the former Aerodrome; (properties built on the former runway) has over these past years have experienced flooding, the consequence many trees have been removed, and the trees that remain the roots are lifting concrete and tarmac.

I request that the application be refused.

#### Councillor Sylvia Walmsley

I wish to formally object to the granting of permission to extend the above.

My reasons are all as previously listed on the original application and also that the need for the roundabout has not been demonstrated in the intervening period.

The traffic has flowed freely throughout this time and there have been no major delays caused by the current system.

I therefore request that the application be refused.

Former comments from Cllr S Walmsley

*Objects on impacts of noise, pollution to nearby residents whilst considers that the scheme does not show that it will not have a detrimental impact on the free flow of traffic. The proposed bund screen does nothing to screen the road from view. The roundabout will result in traffic being more*

*audible. Trees to screen will take years to grow. A tree survey should be carried out to assess the impact on the trees. The application also covers an area known and proven territory for great crested newts and the development should be considered against impacts on ponds and watercourses used for breeding.*

#### Thornaby Town Council

Thornaby Town Council oppose this application as the scheme will interfering with the free flow of traffic on Thornaby Road, create noise and traffic pollution for the local residents and cause damage to the local environment.

#### Ingleby Barwick Town Council

Concerns are raised in respect of the environmental impact on the woodland either side of the road and any wildlife living there.

Slowing traffic at peak hours morning and evening would increase queuing, particularly back to the A19 roundabout and would hence be a danger.

Noise and pollution to houses brought nearer to the road on the Thornaby side.

If this development warrants dual carriageway in the future, as mentioned, then the effect on the nearby properties will be significant.

Would altering the flow of the beck area affect any future flooding.

Traffic impact when/if work is carried out. Consideration would need to be given to limiting when work is undertaken.

Traffic light junction on Thornaby Road impact of blocking the junction if traffic is not flowing.

Concerns are raised in respect of peak time traffic, although it is stated in the Transport Assessment 5.8.1. that queuing back to the signal control is unlikely to occur. In view of present circumstances it is unlikely that traffic will get less by 2023 and hence no hold ups

Can access be provided direct from the A19

The Town Council would suggest that consideration be given to the possibility of closing off the access into the Industrial Estate on the roundabout at Thornaby Road/Ingleby Way, if this proposal is to go ahead. Consideration should also be given to removing the right hand turn facility both into and out of the Hollybush Petrol Filling Station on Thornaby Road, which is a road safety issue.

In determining this application Stockton-on-Tees Borough Council need to consider the viability of the Industrial Estate and what impact the approval or refusal of this proposal would have on the development.

#### Council For The Protection Of Rural England

We welcome the opportunity to comment on this application. This application is a request to extend an existing approval for a roundabout on the A174. It would seem that the original application appears to have been rejected on several occasions before being approved on appeal. The reasons for their argument are already within the documentation. Clearly the existing roundabout and road network is subjected to heavy congestion at peak times. We consider an additional roundabout would add to the already heavy traffic congestion. Our suggested solution would be to create a new access to the Industrial Estate from the A19/ A174 roundabout. This option may also relieve some of the present congestion. We hope you find these comments helpful in determining this planning application.

#### Highways Agency

No objections.

## Head Of Technical Services

### Highways comments

There is no objection to this proposal, the Transport Assessment was fully considered when the extant consent was granted and has been considered as committed development in all subsequent applications.

The introduction of the roundabout provides good traffic distribution onto the existing highway network as better access arrangements for the Industrial Estate means that traffic flows at existing junctions will be reduced and this was demonstrated in the Transport Assessment. The proposal is able to cope with predicted traffic forecasts and will not add any congestion or delays to journeys. Only slower moving traffic with nominal queuing will occur. It is predicted that traffic flows will reduce in peak hours by 13 – 15% at the Thornaby Road/Ingleby way roundabout and by 7 – 8% at the Thornaby Road/A174 parkway extension traffic signals.

The traffic management within the industrial estate has been agreed with the Highway Authority. It may be necessary to review the internal arrangements after a two year period with further measures being implemented if the Highway Authority deems it appropriate. A S106 agreement should therefore be included should the application be approved.

The roundabout has a traffic calming feature effect as vehicle speeds must reduce on the approach, as a result traffic noise should also reduce as tyre action on road surfaces is the main source of road traffic noise. It is also an improvement that further planting, screening and an earth mound are proposed to mitigate traffic noise and hence the amenity for residents should be improved. Impact on amenity is also reduced by the likelihood of many HGVs exiting the A19 and entering the Industrial Estate via the new access and therefore they will not be passing the rear of properties. Reduced traffic flows along with reduced speeds is likely to reduce overall vehicle emissions. Improvements to pedestrian access is also proposed as footways to adoptable standards will be introduced which will allow pedestrians to gain access to the industrial estate at this point. It will also benefit pedestrians to cross a single lane at a time of slower moving traffic.

It will be necessary for the Developer to enter into a S278 agreement with the Highway Authority regarding the design and construction of the roundabout.

### Landscape Comments

We have no objection to the application and former comments apply as below in italics:

- 1. There are mature mixed broadleaf plantations either side of the A174 in the vicinity of the proposed roundabout. A study of the historic aerial view show this wood was around in the mid nineteenth century but there is no evidence of ancient woodland flora and the old name of the wood as new plantation tend to hint that this wood was probably planted. These plantations are significant visually and also provide a good wildlife habitat and thus removal of trees in this area to accommodate this capital scheme should be minimised. A full tree survey should be provided covering all trees and groups of trees both within the site and within 20.0m of the boundary of the site. This survey should be carried out in accordance with good arboricultural practice and as required under BS 5837: 2005 Trees in relation to Construction. For clarity, and as required as part of the planning application requirements, all trees proposed for removal should be indicated, along with trees to be retained.*
- 2. I would also recommend that an ecological survey be carried out to determine the extent of any protected species within the development area notably water voles, great crested newts in the ditches and bats in the oak trees.*
- 3. Due to the scale of earthworks required to gain an access off the A174, the exact extent of excavation and filling operations should be clearly indicated on the main layout drawing and should clearly indicate the areas of these operations in relation to the existing woodland areas.*



4. *Proposals should indicate the treatment of the existing watercourse and public footpath, which run across the site, adjacent to the A174.*
5. *Full landscaping details should also be submitted at this stage as mitigating measures in respect of visual intrusion to nearby residential areas.*

## **PUBLICITY**

Neighbours were notified. 7 letters of objection, 1 letter of support and 1 letter of comment have been received. These are summarised below:-

### Ian Smith, 36 Princes Square Thornaby

Since the original application the traffic control arrangements have altered, with traffic lights installed on the A19 / A174 roundabout. This will have altered traffic flows on the A174 section to Thornaby Road, possibly requiring a new assessment rather than a simple extension of approval.

That undertakings stipulated by the original inspector have not been met also give cause for reflection.

### Sheila M Chaudhry, 8 Coney Close Ingleby Barwick

This will only benefit the businesses on the industrial estate but will seriously hinder the residents of Ingleby Barwick and Thornaby not to mention the wildlife. HG Vehicles leaving the industrial estate will now have 2 roundabouts of priority over the residents and leaving the estate at peak times should be controlled.

### S E G Bradley, 5 Brisbane Crescent Thornaby

I am not opposed to improving the access into the industrial estate although object to this proposal as it will increase traffic congestion at peak times. I consider that the best interest of local people and those travelling to and from the industrial estate would be served by constructing an access directly to the A19 / A174 roundabout which may alleviate some of the existing congestion.

### Mr B Gales, 30 Marykirk Road Thornaby

Traffic congestion, noise, destruction of the environment and impact this will have on residents.

### Mr D N Squince, 62 Marykirk Road Thornaby

We have been living with the uncertainty of whether the roundabout would go ahead. The developer has not discharged the conditions imposed by the Planning Inspector. Information regarding traffic flows is likely to be out of date and new information should be provided.

It is unfair to expect residents to live through another period of uncertainty.

### Mr And Mrs J Blower, 64 Marykirk Road Thornaby

Object.

The developer has not met with conditions previously imposed such as commencing development, submitting drainage and landscaping plans. Trees and wildlife will be destroyed, traffic congestion increased and noise and light exposure to residents.

Views from bedroom windows will change.

### M Moore, 23 Barkston Avenue Thornaby

I wish my previous objection's to this proposal be adhered to, plus to add that traffic on this road has now lessened (with vehicles now using the Queen Elizabeth way) to a degree where the new junction is not required.

Mr P A Conner, 8 Sealand Close Thornaby

We object as many trees will be felled and wildlife disrupted such as bats, newts, foxes, badgers, pheasants, deer, owls all seen in the woods and beck in the last 12 months. Noise and pollution will increase as the noise and lorries gear up and down to negotiate the roundabout.

Ms Oarbara M Munro, 16 Ternbeck Way Thornaby

Request noise reducing barriers be placed along the back of Parkway and around the roundabout on this side.

G And E Newton, 7 Marykirk Road Thornaby

The new roundabout will ease traffic congestion and hopefully create more jobs on the industrial estate.

**PLANNING POLICY**

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)

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

**Policy IN1 – Mixed Industrial Sites**

Land is allocated for business and general industrial uses (Classes B1 and B2) at the following locations:

- (a) Holme House Farm 41 HA
- (b) Teesside Industrial Estate, Thornaby 39 HA
- (c) Preston Farm Industrial Estate, Stockton 49 HA.

**Core Strategy Policy 1 (CS1) - The Spatial Strategy**

The regeneration of Stockton will support the development of the Tees Valley City Region, as set out in Policies 6 and 10 of the Regional Spatial Strategy 4, acting as a focus for jobs, services and facilities to serve the wider area, and providing city-scale facilities consistent with its role as part of the Teesside conurbation. In general, new development will be located within the conurbation, to assist with reducing the need to travel.

Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.

The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.

The completion of neighbourhood regeneration projects at Mandale, Hardwick and Parkfield will be supported, and work undertaken to identify further areas in need of housing market restructuring within and on the fringes of the Core Area.

In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.

A range of employment sites will be provided throughout the Borough, both to support existing industries and to encourage new enterprises. Development will be concentrated in the conurbation, with emphasis on completing the development of existing industrial estates. The main exception to

this will be safeguarding of land at Seal Sands and Billingham for expansion of chemical processing industries. Initiatives which support the rural economy and rural diversification will also be encouraged.

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

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.

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.

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.

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.

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.

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

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

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**

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.

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'.

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.

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.

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.

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.

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.

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.

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 4 (CS4) - Economic Regeneration**

A range of opportunities will be provided within the employment land portfolio to meet the requirement set out in the Regional Spatial Strategy, as follows:

- \_ General Employment Land 255 hectares (ha)
- \_ Key Employment Location (Wynyard) 70 ha
- \_ Durham Tees Valley Airport 50 ha
- \_ Land for Chemical and Steel Industries, up to 445 ha

The main locations for general employment land will be:

- \_ Durham Lane Industrial Estate. 40 ha
- \_ Belasis Technology Park 20 ha
- \_ Teesside Industrial Estate 30 ha
- \_ Urray Nook 20 ha

## \_ Core Area 10 ha

Land for general employment uses will be released in phases as follows:

- a. 2004 - 2011 0 ha
- b. 2011 - 2016 60 ha
- c. 2016 - 2021 60 ha
- d. 2021 - 2024 40 ha

The target for the annual average development of all types of employment land is 13 hectares over the life of the Core Strategy.

To maximise opportunities for the delivery of the Regional Spatial Strategy requirements land will be safeguarded for chemical production and processing, subject to environmental constraints, in the following locations:

- a. North Tees Pools up to 100 ha
- b. Seal Sands up to 175 ha
- c. Billingham Chemical Complex up to 65 ha

If evidence comes forward that the Billingham Chemical Complex (formerly known as the ICI Process Park) is not suitable for these purposes, other specialist uses will be considered, such as reprocessing industries and biotechnology laboratories. These are also suitable locations for the installation of new, or expansion of existing potentially hazardous or polluting industries, although these will need to be sensitively and safely located.

Land will also be safeguarded on the north bank of the River Tees in the Haverton Hill and Port Clarence areas. Priority will be given to developments requiring a port or river-based site. No port or river based development will be permitted on, or on land immediately adjacent to, the North Tees Mudflat component of the Tees and Hartlepool Foreshore and Wetlands Site of Special Scientific Interest (SSSI).

Employment sites which are viable and attractive to the market will be protected from increasing pressure for redevelopment for alternative uses which may secure higher land values, for example housing.

Additionally, support will be given to:

- i) Suitable enterprises that require a rural location and which support the rural economy and contribute to rural diversification;
- ii) The establishment of new enterprises, particularly where related to existing industries, assisting them to evolve with advancing green technologies;
- iii) The expansion of research-based businesses associated with Durham University's Queen's Campus;
- iv) Growth in sustainable tourism, particularly in the following locations:
  - a. The River Tees as a leisure, recreation and water sports destination, with regard given to the protection and enhancement of the character of tranquil areas along the river corridor between the towns of Stockton and Yarm;
  - b. Preston Park;
  - c. Sites linked to the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution; and
  - d. Saltholme Nature Reserve.
- v) The creation of employment and training opportunities for residents by developers and employers.

### **Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement**

In taking forward development in the plan area, particularly along the river corridor, in the North Tees Pools and Seal Sands areas, proposals will need to demonstrate that there will be no adverse impact on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, or other European sites, either alone or in combination with other plans, programmes and projects. Any proposed mitigation measures must meet the requirements of the Habitats Regulations.

Development throughout the Borough and particularly in the Billingham, Saltholme and Seal Sands area, will be integrated with the protection and enhancement of biodiversity, geodiversity and landscape.

The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of:

i) Strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George.

ii) Green wedges within the conurbation, including:

- \_ River Tees Valley from Surtees Bridge, Stockton to Yarm;
- \_ Leven Valley between Yarm and Ingleby Barwick;
- \_ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
- \_ Stainsby Beck Valley, Thornaby;
- \_ Billingham Beck Valley;
- \_ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

The integrity of designated sites will be protected and enhanced, and the biodiversity and geodiversity of sites of local interest improved in accordance with Planning Policy Statement 9: Biodiversity and Geological Conservation, ODPM Circular 06/2005 (also known as DEFRA Circular 01/2005) and the Habitats Regulations.

Habitats will be created and managed in line with objectives of the Tees Valley Biodiversity Action Plan as part of development, and linked to existing wildlife corridors wherever possible.

Joint working with partners and developers will ensure the successful creation of an integrated network of green infrastructure.

Initiatives to improve the quality of the environment in key areas where this may contribute towards strengthening habitat networks, the robustness of designated wildlife sites, the tourism offer and biodiversity will be supported, including:

- i) Haverton Hill and Seal Sands corridor, as an important gateway to the Teesmouth National Nature Reserve and Saltholme RSPB Nature Reserve;
- ii) Tees Heritage Park.

The enhancement of forestry and increase of tree cover will be supported where appropriate in line with the Tees Valley Biodiversity Action Plan (BAP).

New development will be directed towards areas of low flood risk, that is Flood Zone 1, as identified by the Borough's Strategic Flood Risk Assessment (SFRA). In considering sites elsewhere, the sequential and exceptions tests will be applied, as set out in Planning Policy Statement 25: Development and Flood Risk, and applicants will be expected to carry out a flood risk assessment.

When redevelopment of previously developed land is proposed, assessments will be required to establish:

- \_ the risks associated with previous contaminative uses;
- \_ the biodiversity and geological conservation value; and
- \_ the advantages of bringing land back into more beneficial use.

## **SITE AND SURROUNDINGS**

8. The A174 provides a link between the A19 and the A1045 (Thornaby Road) with Teesside Industrial Estate lying to the South and housing to the North. Both the industrial estate and the housing are located at a position set back from the A174 due to a relatively wide open road corridor having been formed which is in part grassed, landscaped and wooded.

9. At the point where the approved scheme details the roundabout, the A174 is raised above the adjoining ground. The housing to the North is therefore at a lower ground level to that of the highway and approved roundabout. To the southern side the land dips adjacent to the road before rising again, up to the industrial estate which is at a higher level than the A174.
10. At the time of considering application 07/1416/FUL in 2007 there was an area of recently planted trees immediately to the north of the A174 acting as a buffer between the housing and the highway. This included a line of trees immediately adjacent to the rear garden boundary of the properties in Marykirk Road which adjoin the road corridor and ranged between 4 and 6 metres in height. Approximately 3 years on, the trees and other landscaping have increased in height and stature to create a denser buffer strip although tree cover within the landscape buffer is generally deciduous and as such will offer reduced cover during winter months.

## **MATERIAL PLANNING CONSIDERATIONS**

11. Planning permission was granted on appeal for the provision of a roundabout junction and ancillary works being provided along the A174 with connection into Teesside Industrial Estate. This application seeks to renew this extant consent which has until the 26<sup>th</sup> Feb 2011 to commence.
12. The current proposal needs to be considered against relevant planning policies and other material planning considerations such as the Inspectors decision to allow the appeal and it being an extant permission currently capable of being implemented.
13. Since the earlier approval Stockton Borough has adopted its Core Strategy Development Plan whilst some Local Plan policies are no longer in place. National planning policy guidance has also been updated. Policy changes relevant to this scheme are the introduction of Core Strategy Policies CS1, CS2, CS3, CS4 and CS10 and the loss of Local Plan Policies GP1 relating to general principles for development, REC3 relating to informal open space and EN15 relating to urban open space. Considerations are as follows;
14. Core Strategy Policy CS1 (The Spatial Strategy) advises that development opportunities will be provided throughout the Borough to support existing and encourage new enterprises indicating that development will be concentrated in the conurbation, with emphasis on completing the development of existing industrial estates. The Head of Technical Services has previously advised that an additional access would be required to serve any notable expansion of the industrial estate which has several vacant and undeveloped plots. This proposal would provide an alternative route into and out of the industrial estate allowing industrial estate traffic to bypass the existing light operated junction at the Junction of Thornaby Road and the A174 and the existing roundabout access which also serves Ingleby Barwick. The provision of the roundabout would therefore provide for the future expansion of the existing industrial estate, being in accordance with the principles of the Core Strategy Development Plan Policy CS1.
15. Core Strategy Policy CS2 (Sustainable Transport and Travel) seeks improvements to a wide range of travel options and to ensure the strategic road networks will be no worse off as a result of development. This proposal will improve the existing informal pedestrian crossing of the A174 as a result of the slower traffic speeds negotiating the roundabout and the formal crossing points being provided as part of the scheme. Having consulted with the Highways Agency, who are responsible for the trunk road network, they have raised no objection to the proposed renewal of permission. The roundabout itself will not increase traffic into and out of the estate or on the surrounding road network, although it will allow for future development and any future developments would themselves be considered against relevant policies and impacts on the highway network. In view of these matters it is considered that the proposed renewal of permission accords with Policy CS2 as it will

increase opportunity for pedestrian access to the industrial estate whilst have no unacceptable affect on the Trunk Road.

16. Core Strategy Policy CS3 (Sustainable Living and Climate Change) embodies parts of the now deleted Policy GP1 which was a consideration of the earlier application. Policy CS3 requires developments to make a positive contribution to the local area by protecting and enhancing its environmental assets and responding positively to existing features such as trees. The proposed renewal would have the same impacts on the surrounding environment as those of the previously approved scheme although some of the tree planting adjacent to the site will have matured over the 3 years since approval. Land take is not intended to be any different from the approved scheme and conditions were previously imposed in respect to landscape protection and the provision of additional landscaping around the roundabout. It is recommended that these conditions be re-imposed on any renewal permission in order to allow adequate mitigation of the developments impact and compliance with Policy CS3.

### **Impacts on highway links and highway safety**

17. Within the Transport Assessment submitted under application 07/1416/FUL, the applicant considered the surrounding highway network, existing traffic movements, areas of traffic influence, the numerous road junctions within the immediate locality, traffic growth factors, distribution and a design span for the purposes of the assessment. The Transport Assessment submitted concluded that the new roundabout and associated works will decrease traffic using the existing industrial estate access points and that further mitigation is not required. These considerations are considered to be relevant to this proposed renewal of permission.
18. The Head of Technical Services considers that the introduction of the roundabout provides good traffic distribution onto the existing highway network as better access arrangements for the Industrial Estate means that traffic flows at existing junctions will be reduced as demonstrated in the Transport Assessment. Whilst objection has been raised suggesting that traffic flow along the A174 and A19 will be impeded, it has been demonstrated that the roundabout and revised road layout would be able to cope with predicted traffic forecasts and will not add congestion or delays to journeys although it does indicate that slower moving traffic with nominal queuing will occur. Importantly, it is predicted that traffic flows will reduce in peak hours by 13 – 15% at the Thornaby Road/Ingleby way roundabout and by 7 – 8% at the Thornaby Road/A174 parkway extension traffic signals. These are considered to be notable improvements to the existing circumstances which have been raised as concerns and are likely to be beneficial to the local traffic using the existing junctions.
19. Concern was raised by the Head of Technical Services that the roundabout may result in traffic using the industrial estate as a short cut to avoid existing traffic signals at the junction of the A174 and the A1045. Should this become a problem the Head of Technical Services considers that a review of the internal traffic arrangements of the industrial estate should be made two years after completion of the scheme. If the review indicates the internal roads within the industrial estate have become a 'rat run' then this will have been as a direct result of this new access onto the A174. If such a problem occurs then the developer should fund the implementation of works which would be an internal road closure which could take place at the first east – west connection and having a likely cost of £10,000 to implement. This remains to be considered relevant to this renewal scheme and the recommended heads of terms reflects this requirement.

### **Impacts on the amenity of nearby properties**

20. The details of the scheme are not changing to those previously considered which means that the impacts on nearby residents will be almost identical to those previously considered.



The rear elevations of housing to the North of the application site (Marykirk Road) are located approximately 60m from the kerbside of the A174. The proposed roundabout, at its closest point will reduce this gap to approximately 44m although there is a landscape bund and earth grading works proposed immediately beyond the edge of the roundabout.

21. The existing section of the A174 behind the housing is raised above the level of the housing and the immediately surrounding land levels. The proposed roundabout was indicated on a sectional drawing as being built at the same level as the existing highway. Due to the roundabout being closer to existing housing the traffic will be more visible and the new path of traffic will at times face directly at the properties where as currently the road passes parallel to the rear elevations of houses. However, an embankment is shown being in between the proposed roundabout and the existing houses which would project above the level of the roundabout. This bund, along with additional landscaping will assist in reducing the visual impact of traffic and their lights.
22. There is an existing landscaping scheme on the land which intervenes the housing and the A174. This scheme includes many trees which have not yet reached maturity. At the time of considering the earlier application many of the trees were in excess of 5m in height. Since that time, the existing landscaping between the highway and the houses has grown and created a more substantial buffer. As such, the impact of the development on dwellings in Marykirk Road would be reduced from that previously considered. Taking into account the distance between the roundabout and the existing houses, their being existing intervening landscaping, the provision of proposed bunding and additional landscaping, it being a reduced impact from the previous situation considered at appeal (due to maturer landscaping) and the A174 having a function of moving traffic between the urban areas and the A19 it is considered that the impact of the development on residential amenity would be acceptable.

### **Traffic noise and pollution**

23. Objection has been received in respect to the increase of noise, air pollution and light pollution as a result of these revised traffic movements.
24. The Councils Environmental Health Officer previously considered that the noise report and its findings with regards to the predicted impacts on surrounding properties were acceptable. The report showed the then present traffic noise climate measured near the residential premises and it also predicted the traffic noise level for the future which was almost 8dB less than the then present ones. However, in view of these being estimations, the Environmental Health Officer considered that it would be reasonable to make it a requirement of any approval to repeat the same noise measurements to gain readings after the completion of work, and for any post completion noise issues to be addressed through additional mitigation such as mounding and fencing. The impact of traffic along the A174 has not notably changed whilst noise levels at houses are likely to have reduced as a result of the more denser landscaping to the rear of properties. There are no new intervening structures between the A174 and the residential properties in Marykirk Road and these earlier considerations are considered to remain relevant. A condition is recommended to assess noise levels upon completion and mitigate against increased noise levels.
25. The findings of the Air Quality Assessment submitted with the initial application forecasted that the concentrations of air pollution at all receptors within the vicinity of the proposed development would remain within the Air Quality Objectives both within and outside the development site, indicating that changes in pollutant concentrations were extremely small. In view of the A174 already being in place as a transport route, the proposal itself not increasing traffic, the roundabout slowing traffic speeds and the scheme reducing the need for industrial traffic to use a more convoluted access, it remains to be considered that the impact on the air quality with regard to pollutants from traffic would not be notably

detrimental to the occupants of surrounding properties above that created by the existing highway and that the earlier Air Quality Assessment remains to be relevant.

26. The proposed development intends to provide a scheme of lighting and in order to minimise the impact of such lighting on the occupants of the adjacent housing through the control of its position, direction and intensity of condition is recommended.

### **Impact on surrounding environment**

27. Objection has been received with respect to the impact of the proposal on wildlife within the locality, specifically with respect to the destruction of woodland and habitat.
28. The proposal will result in the loss of a limited number of trees although the majority of works will take place either on the existing carriageway or on existing roadside verge. Although these areas may provide some habitat, due to its nature and it being immediately adjacent to the A174 it is considered that the area affected by the development would have a limited offer as a habitat. There is no clear evidence to suggest that there would be a detrimental impact on species especially protected by law, however, as the proposal would affect trees and ground cover, and in view of the requested time for commencement (up to February 2018) it is considered necessary to require a survey to be undertaken immediately prior to works commencing with mitigation as required which would take into account any wildlife at that time. A condition is recommended accordingly which is in line with that previously imposed by the Planning Inspectorate.
29. There is a pond within the industrial estate whilst the proposed works will result in the removal of some area of woodland as were the same circumstances of the previously approved scheme. The pond within the industrial estate has been assessed previously and wildlife trans-located from within it. In addition, the pond is a relatively significant distance from the roundabout position and as such it is considered that the scheme would not unduly affect any wildlife here.
30. The Head of Technical Services has advised there is additional information required in order to fully assess the development, requesting a survey covering all trees and groups of trees within the site and within 20m of the site, including the adjoining tree belts, the exact extent of excavation and filling operations and the treatment of the watercourse and public footpath, which run across the site.
31. The area of woodland to be lost is titled New Plantation on the Ordnance Survey mapping. Historic mapping shows that this plantation was in existence in 1856, albeit significantly reduced as a result of house building and the A174 being constructed through it. New Plantation is not defined as an Ancient Woodland, although there is Ancient Woodland (Stainsby Wood) approximately 400m to the East of this site. In view of the site not having an impact on Ancient Woodland and resulting in only a small loss to New Plantation Wood, it is considered that the overall impacts of the scheme would on balance be acceptable, particularly in view of their being a recent tree planting scheme having being undertaken to the north of the A174 and tree planting being required as part of this scheme. As such, it is considered that the level of impact on existing trees can be adequately dealt with by condition as was previously imposed by the Planning Inspectorate.
32. The footpath and watercourse rerouting information is indicated on the previously approved plans. The footpath links with the Fleck Way extension and a crossing point at the roundabout with connection to the existing footpath to the North. The watercourse is shown being piped under the roundabout. It is considered that this is sufficient detail to consider the impacts of the development and that the precise detail can be controlled by conditions as recommended.

## **Surface Water Drainage**

33. This proposed renewal is relying on previous submissions in respect to flood risk and surface water attenuation. Surface water run off calculations submitted as part of the approved scheme indicated a small increase in peak flow and the scheme proposed to attenuate this increase so that there is no net increase in surface water run off over the existing scenario. This can be done by methods such as underground piped storage or above ground storage in a swale. The Environment Agency previously advised that they have no objections in principle although recommended a condition be imposed which requires a scheme for surface water run off to be agreed in order to prevent the risk to flooding. In view of the calculations submitted indicating only a small increase in surface water runoff and the comments of the Environment Agency, it is considered that impacts of surface water runoff is generally acceptable, according with Core Strategy Policy CS10 and can remain to be dealt with by condition as recommended.
34. In order to prevent any significant noise and disturbance including light pollution for the occupants of nearby properties it is considered appropriate impose a limiting condition at which the construction works can take place. This is consistent with the earlier approval.

## **Other Matters**

35. Objection has been raised that the developer has not discharged conditions associated with the previous application and has had sufficient time to do so. Whilst this is noted, there is only a need to discharge conditions prior to commencement and as the development has not commenced to date there has been no need to discharge the conditions. Submissions have now been made to discharge conditions associated with the approval granted by the Planning Inspectorate.
36. The proposal seeks permission to commence development of the roundabout scheme up to the 26<sup>th</sup> February 2018. In view of the nature of the development, likely costs, the likely limited changes to the immediately surrounding environment and the control imposed by conditions as recommended, it is considered that the proposed period for commencement is acceptable.
37. Comments have been received from objectors suggesting an alternative new junction be provided directly from the A19 into the industrial estate. Whilst these comments are noted, this application needs to be considered based on its own merits.

## **CONCLUSION**

38. The scheme will provide a new access into the estate which should improve the demand of traffic on the existing A174 / A1045 junction whilst at the same time provide a formalised crossing point for pedestrians into the estate from the housing areas to the North thereby reducing the current risk to pedestrians crossing the A174 where there is no formalised crossing at a point where traffic speed is relatively high.
39. The proposed development is considered to be acceptable on highway grounds with regard to its impacts on existing traffic flows and the layout of the highway network generally. It is considered that the scheme would not unduly compromise the privacy and amenity associated with nearby properties through noise, air or light pollution subject to adequate mitigation being provided. The proposed scheme is considered to have a reduced impact on residential amenity above that of the earlier scheme due to the increased maturity of the planting to the rear of houses on Marykirk road. The scheme will undoubtedly affect the adjoining woodland and wildlife habitat areas, however, the scheme has a limited land take and as such is not considered to have a significantly detrimental impact on these areas.

40. In view of the above and taking into account the extant approval as determined by the Planning Inspectorate for the same scheme, it is considered that the proposed renewal of planning permission is in accordance with the relevant planning policies as listed.

**Corporate Director of Development and Neighbourhood Services**  
**Contact Officer Mr Andrew Glossop Telephone No 01642 527796**

**WARD AND WARD COUNCILLORS**

Ward Stainsby Hill  
Ward Councillors Councillor Mrs Sylvia Walmsley, Councillor Eileen Craggs

**IMPLICATIONS**

Financial Implications: None

Environmental 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

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers:

Application 07/1416/FUL and associated appeal decision ref: APP/H0738/A/072058599