

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**12 January 2011**

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

**10/2762/REV**

**Former Springs Leisure Centre, Teesside Retail Park, Stockton-on-Tees  
Construction of a 66-bed Travelodge, Nandos Restaurant and Harvester pub/restaurant with  
associated car parking.**

**Expiry Date 31 January 2011**

#### **SUMMARY**

The application site is situated within the wider Teesside Park development which incorporates a mix of leisure and retail uses. The site is situated to the north of the retail park and lies within an area consisting mainly of restaurants and food outlets. To the west and south of the site lies the highway which serves the retail park, to the north is the A66 and to the east several food outlets.

Planning permission is sought for the erection of 3no. separate buildings for the purposes of a Travel lodge hotel, restaurant and a public house with the demolition of the former 'Springs' leisure club building. All of the buildings would have an individual style and contemporary design.

Significant concerns remain regarding the proposed development in terms of planning policy, the impact on Stockton Town Centre and the Council's regeneration aims. Whilst it is recognised that the proposed development may have some regeneration benefits in terms of investment, physical regeneration and job creation, it is not considered that this is sufficient enough to outweigh the harm that could be caused to Stockton Town Centre or current regeneration initiatives.

#### **RECOMMENDATION**

**Planning application 10/2762/REV be Refused for the following reason(s)**

- 01 In the opinion of the Local Planning Authority, the proposed development relates to Town Centre Uses within an Out of Town location and it has not been adequately demonstrated that the proposed use cannot be provided within either the defined centres within Stockton Borough or within an edge of centre location. The proposal is therefore considered to be contrary to saved Policy S2 of the adopted Stockton on Tees Local Plan and guidance of PPS1: Delivering sustainable development, PPS4: Planning for sustainable economic growth; and PPG13: Transport.***
- 02. In the opinion of the Local Planning Authority the proposed use would be in an unsustainable location and it would place a high reliance on the private motor car taking into account the limited provision of bus services and suitability and attractiveness of the surrounding highway network for walking and cycling, thereby being contrary to***

**Core Strategy policy CS2(1) and the guidance within PPS1: Delivering sustainable development and PPG13: Transport.**

- 03 ***The applicants have failed to adequately demonstrate that sufficient landscaping can be provided to soften the proposed development, to the detriment of the character and wider visual amenity of the area contrary to policy CS3 of the Core Strategy and National Planning Guidance PPS1 : Delivering Sustainable Development.***

**BACKGROUND**

1. A previous application for the redevelopment of the site to provide bulky goods non-food retail warehouse unit with associated car parking, access and landscaping with the demolition of the existing health club (app ref 06/3648/FUL) was refused and dismissed on appeal. In considering the appeal, the planning inspector considered that there was no clearly identified need, that sequentially preferable sites were available and that the proposal was unlikely to reduce dependency on the private car.
2. A previous application for the development of the former springs site was withdrawn earlier in 2010 (app ref 10/1533/FUL) following concerns that the Local Planning Authority had regarding the development.

**PROPOSAL**

3. Planning permission is sought for the erection of 3no. separate buildings for the purposes of a Travel lodge hotel, restaurant and a public house with the demolition of the former 'Springs' leisure club building. All of the buildings would have an individual style and contemporary design.
4. Both the Nando's restaurant and the Harvester pub would be single storey. The Nando's restaurant would measure 24.5m (l) x 12.8m (w) and have a maximum height of 6.6m. While the Harvester pub would measure 24.5m (l) x 20m (w) and have a maximum height of 5m. The Travelodge building would be over 3 storeys and would measure a maximum of approximately 45m (l) x 15m (w) and have a height of 10.4m

**CONSULTATIONS**

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

**Cllr Richard Cains, Norton West Ward (in summary)**

A Travel Lodge in the hand is worth two Ritzs (+ conference centres) in the bush AND the number of times the Regeneration & Transport Select has quoted the shortage of hotel accommodation as being a block on Stockton's tourism/events prospects are too many to count. In this period of austerity I feel we should welcome with open arms any one who wishes to invest in the Borough and coincidentally bring in employment opportunities.

Of course I agree that a hotel and Nandos should be located in the town centre rather than the Retail Park BUT I cannot comprehend how refusing the latter will bring about the former. I would maintain that there is scope for both – and more. I would guess that the core strategy was devised in the halcyon days when money for development was plentiful and we could afford to be prescriptive.

I hope that you will agree that the matter should be debated by the committee in order that the arguments can be aired in public. I feel that residents will find the decision difficult to understand without more of the background thinking.

## **Head Of Technical Services**

Urban Design objects on landscape and visuals grounds on the loss of space for boundary planting as detailed below.

### Highways Comments

A Transport Statement has been provided to support the development and has been considered, it indicates that the proposed new development will attract less traffic in peak traffic periods than the original Spring's Development. This is acceptable as the site has extant permission for D2 use. The Statement recommends improvements for "Non Motorised Users" particularly pedestrians and cyclists.

The Transport Statement indicates combined trips for the hotel, restaurant and pub for the evening peak traffic period are 61 vehicles (38 arrivals, 23 departures). This compares to 151 vehicles for Spring's site (97 arrivals, 54 departures), these figures are derived from TRICS assessment and are therefore acceptable.

During the last three calendar years, there have been 2 accidents on Teesside Park Drive and 4 accidents at the roundabout with Newmarket Avenue. Only cars were involved in the accidents and all injuries were slight. The existing junction arrangements adequately deal with expected traffic.

The Transport Statement correctly identifies the need for improvements to pedestrian and cycling facilities. At present there is a purpose built cycleway/footway to the west of Teesside Park Drive. However, this is separated from the site by a four lane dual carriageway with poor crossing opportunities. The hotel development is likely to increase the number of pedestrians crossing Teesside Park Drive from the site towards the retail elements of Teesside Park, including McDonalds and Morrisons.

The Transport Statement proposes a substantial length of guard rail along the eastern kerbline of Teesside Park Drive to guide pedestrians to safer crossing points to the north, east and south of Teesside Park Drive roundabout. This is not acceptable as pedestrians are likely to attempt to cross the western approach of the roundabout as it is a more direct route, but will be forced to walk in the carriageway by the guard railing. Improved pedestrian facilities to include tactile paving, signing and a defined waiting area in the central refuge are more appropriate. It is therefore suggested that a Grampian condition be included should the development be approved for the pedestrian and cycling improvements to be introduced by the Highway Authority prior to commencement of development.

An indicative pedestrian/cycle access to the site adjacent to the hotel is also proposed. It is shown running directly up the embankment surrounding the site. This pedestrian/cycle access should be at a gradient of no more than 1 in 20 and will need to be implemented as part of a S278 agreement with the Highway Authority as the link is within the adopted highway.

There are a couple of points which still require to be addressed which were discussed during the pre-planning stages for this application with regards the Travel Plan

- There are no specific measures targeted at the visitors to this development. Promotional incentives could be offered to visitors as part of events throughout the year
- A firm commitment should be offered to staff to provide a ride home in case of emergency for those that car share.

Provided these additional measures are included within the travel plan framework and implemented as part of the full Travel Plan for the development, this is acceptable for the proposed development.

The layout has been developed in accordance with the Council's Design Guide and Specification, Supplementary Planning Document 3: Parking Provision in New Developments and by developing a car park accumulation survey. The proposed development should provide a maximum of 149 car parking spaces for use by the development, 130 are provided in accordance with the information provided in the car park accumulation survey. This is acceptable as residents of the hotel are likely to use the facilities of the pub and restaurant and hence shared trips occur. The reduction in car parking from the maximum provision will also assist in encouraging users to consider other forms of transport that are promoted through the Travel Plan. Disabled car parking is indicated as well as dedicated car share spaces in convenient locations close to the entrance to the building and is acceptable. The management of car share spaces should be managed through the full travel plan. The overall layout and manoeuvrability around the site is acceptable including the location of service areas.

Internal pedestrian links are indicated that allows good pedestrian movements around the site and between facilities and also into the adjacent site that are acceptable. It may be appropriate that some raised pedestrian links in the carriageway area of the car park are introduced in order to give pedestrian priority. All pedestrian links should be a minimum of 1.8metres wide.

Cycle shelters are indicated on the layout plan in convenient locations. All shelters should be covered and secure and a planning condition should be included accordingly should the development be approved.

No refuse storage is indicated for the pub, however it is presumed it will be located somewhere within the service area to the rear of the premises. Details of how refuse will be managed and collected from the site should be provided in a refuse management plan including the provision for recycling.

In summary, the submitted documents have been considered and are acceptable subject to the above comments and suggested conditions should the development be approved.

#### Flood Risk Management Comments

The application site is located within Flood Zone 2 (low-medium risk). We recommend that permeable surface materials must be used for footpaths, car parks and any other suitable areas to reduce surface water flooding. We raise no objection subject to a plan being submitted showing the areas proposed for permeable surface materials.

#### Landscape & Visual Comments

Regarding this development we make the following comments:

The buildings will be very prominent when viewed from the main access road into the Teesside Shopping centre especially as these are the rears of the buildings and as such more land must be made available for tree planting to help soften the scheme on the western site boundaries. To this effect the 3 metre easement from the site boundary on the west side of the site should be moved into the site itself east of the travel lodge and Nandos buildings allowing this space to be used for tree planting.

We would also request that it be made clear the restrictions on tree planting next to the existing sewer pipe in the south west corner of the site,

Once this information is received the amount of tree planting allowed can be assessed and the requirement to utilise the existing road verge space accurately considered but at present our objection to the development remains as per the former memo ref 10/1533/Ful - *In summary we would object to the current layout due to the loss of the space for planting for screening/softening purposes along side the entrance road to the Teesside shopping area and we would prefer to see a re-development akin the former plan.*

### **Highways Agency**

Thank you for your consultation dated 2<sup>nd</sup> November 2010 in relation to the above planning application.

We have reviewed the revised submission for the above site and can conclude that given the applicant has the benefit of an extant planning consent on the site, it is unlikely based on the latest development proposals that the extant traffic generations will be exceeded by the new development. Therefore the Highways agency has no objections in principle to the above planning application.

I trust that my comments are clear, however, if you would like to discuss anything further, then please do not hesitate to contact me.

### **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.

- Drainage - grease trap
- Odour nuisance
- Unexpected land contamination
- Possible land contamination
- Possible contamination from an old landfill site
- Submission of land contamination Remediation Scheme
- Implementation of land contamination Approved Remediation Scheme
- Reporting unexpected land contamination

### **Development And Regeneration**

Comments awaited

### **Spatial Plans Manager**

Comments awaited

### **Northern Gas Networks**

No objections

### **Northumbrian Water Limited**

No objection

### **The Environment Agency**

This proposal falls within the scope of the Environment Agencys Flood Risk Standing Advice and therefore the Agency should not have been consulted on this application. Please refer to our Standing Advice which can be found at <http://www.environmentagency.gov.uk/research/planning/82584.aspx> for the relevant comment relating to this proposal.

### **Middlesbrough Borough Council Planning Department (in Summary)**

The applicant has adopted the sequential approach and considered potential sites, within and on the edge of town centres defined by Stockton Borough Council, in the following policy order:

- Middlesbrough Town Centre;
- Stockton Town Centre;
- Billingham Town Centre; and,
- Thornaby Town Centre.

Sites in these localities have been considered and discounted, however, the sequential approach is not sufficiently robust, the rationale that the hotel needs to have direct links to both the A66/A19 is questionable in terms of its relevance to the assessment. Furthermore, there is no justification as to why the Travelodge's operational requirements would be genuinely compromised by going to a sequentially preferable site.

PPS 4 states that planning applications for main town centre uses that are not in a centre should be assessed against the impact they would have on existing committed and planned public and private investment in a centre or centres in the catchment area of the proposal. The impact assessment, however, does not appear to assess the impact that the proposal will have upon the deliverability of similar hotels within key regeneration schemes in Stockton and Middlesbrough. Developing a hotel in this location could prevent investment in these areas and could significantly undermine the viability of these regeneration schemes; for example, there is already planning permission in place for a budget hotel on the Gateway Middlehaven site in Middlesbrough. If the proposal were approved, this would be in direct competition with the proposed hotel at Teesside Park.

The impact assessment also concentrates mostly on retail development and largely ignores the role that hotels have to play in delivering successful regeneration. Moreover, the assessment claims that Greater Middlehaven is not a suitable site for a Travelodge as Middlesbrough already has one, however, the location proposed (e.g. Teesside Retail Park) is only a mile from the one in Middlesbrough town centre, so the argument does not appear to be valid upon viability grounds.

The **Tees Valley – Hotel Futures** report also detailed that Stockton Borough Council's priority locations for new hotel developments are North Shore and Stockton town centre.

In terms of the mitigating arguments that have been put forward regarding the job creation and business opportunities created by both the construction and operation of the above development I would like

to raise the following queries/comments:

- what arrangements are in place to either use local contractors in the construction phase, and/or what arrangements those contractors have to employ local labour.
- what arrangements the end users/operators have to contract with local suppliers and service companies.
- in the case of both potential construction employment and potential operational employment, how employees will access the jobs created given the limited public transport links to the site (and the absence of any public transport links from the east/from Middlesbrough (as per comments re transport)).

Whilst the comments made about the need for more employment in the area are certainly pertinent, it would be significantly better for the area if they were in places where unemployed people could access them.

In conclusion the application conflicts with PPS4 and Middlesbrough's Regeneration Development Plan Document policies in terms of directing development to urban centres. The sequential approach and rationale adopted (e.g. that the Travelodge must have direct links to the A66/A19) do not appear to be sufficiently robust.

The development would have a negative impact on both Stockton's and Middlesbrough's town centres and the wider regeneration agenda. It would undermine investment in Middlesbrough, such as the plans to erect a budget hotel at the Gateway Middlehaven site.

## **Thornaby Town Council**

Thornaby Town Council fully support the revised planning application of the redevelopment of Teesside Retail Park, Springs site.

We believe it will bring economic benefits to the Town and local area such the creation of jobs for local people and bring much needed finance to the area as well.

## **PUBLICITY**

6. Neighbours were notified and any comments received are below;

### **C Young - 9 Chantilly Avenue, Darlington**

Supports the application and considers it a great idea to replace the buildings with new facilities that compliment those already on the park. Also states development will provide much needed jobs and investment.

### **Mr I Parfitt - 12 Boscombe Gardens, Hemlington**

Supports the proposal as with little building taking place, need to support every project and jobs are badly needed within the Tees Valley. Job creation should be given a high priority.

### **Mr Simon Walker Hansall -128 Sunnyside Coulby Newham**

Supports the proposal as the entrance to the park is unkempt and needs fresh uses. Considers the proposal will offer grater choice for shoppers.

### **Bradley Gaunt - 19 Whinfell Avenue Eaglescliffe**

Supports the application as the present buildings are a blot at the entrance to the park. The proposal offers a face lift to the park.

### **Stu Kent - 30 Mount Leven Road, Yarm,**

I think it is great something is finally being done with this site and the scheme suits the site.

### **S Tennet - 2 Fulthorpe Road Norton**

Please register my support for the application for a Travel Lodge, a Nandos restaurant and a Harvester restaurant on the derelict Springs leisure site at Teesside Park.

Please keep me informed of progress and the date of any planning committee meeting.

### **D Tennet - 2 Fulthorpe Road Norton**

With reference to today's telephone conversation I wish to register my support for the above planning application.

Following on from our discussion, while I fully support the need for a grand plan for Stockton, it's essential that the plan is flexible enough to take account of special opportunities when they present themselves.

The application gives Stockton the opportunity to attract three blue chip companies who will provide sixty/seventy long term jobs [reference Evening Gazette] on a derelict site at the gateway to Teesside Park, in an area that is designated as exclusively restaurant and leisure.

I trust this letter along with the others you have already received will enable the application to go forward to the planning committee, to allow the democratic process to take place.

### **T G I Fridays (C Snowdon) - Teesside Shopping Park**

We would still be concerned about the traffic this would cause with only 1 access point to an already busy leisure park.

## **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 5 (CS5) - Town Centres**

1. No further allocations for retail development will be made other than in or on the edge of Stockton Town Centre during the life of the Core Strategy.

2. Stockton will continue in its role as the Borough's main shopping centre. Up to 2011, the need for additional capacity can mostly be met through committed developments and the occupation and reoccupation of vacant floorspace. Beyond 2011, there may be a requirement to bring forward new retail developments within the town centre in the first instance, to improve quality and widen the range of the shopping offer in the Borough. The creation of specialist roles for Stockton, for example as a sub-regional historic market town, or through the concentration of a mix of ethnic retailers or small independent chrysalis stores, will be supported. Other initiatives will include:

- i) Improving the main approaches to the town via the Southern, Eastern and Northern Gateways, through creating new development opportunities and promoting environmental improvements;
- ii) Promoting a balanced and socially inclusive cultural sector and 24-hour economy across the town centre, particularly in the vicinity of Green Dragon Yard;
- iii) Providing additional leisure opportunities, and other town centre uses, in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth;
- iv) Improving pedestrian links to the riverside.

3. Billingham, Thornaby and Yarm will continue to function as district centres. Priority to regeneration initiatives will be given to:

- i) Thornaby centre
- ii) Billingham centre

Proposals which support Yarm's specialist niche role in offering higher quality comparison shopping, together with leisure and recreation opportunities will be supported, provided that the residential mix within the district centre is not compromised.

4. Elsewhere, within the local shopping centres of Billingham Green in Billingham, Myton Way at Ingleby Barwick, Norton High Street and High Newham Court in Stockton, and the neighbourhood centres, development will be promoted and supported provided that it complements and does not adversely impact upon the regeneration of the town and district centres, and where it is in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth.

5. The use of upper floors above shops and commercial premises, particularly for residential purposes, will be encouraged, to support the viability and vitality of the centres.

6. The existing roles played by Teesside Park as an out-of-town location, and Portrack Lane as out-of-centre site, are recognised. Whilst no additional retail or leisure development proposals will be encouraged in these locations or any other out of centre locations, any proposals which emerge will be dealt with as under 7 below.

7. Should any planning application proposals for main town centre uses in edge or out-of-centre locations emerge, such proposals will be determined in accordance with prevailing national policy on town centre uses as set out in Planning Policy Statement 4: Planning for Sustainable Economic Growth or any successor to Planning Policy Statement 4.

## **Policy S2**

Where proposals for either new or extensions to existing retail or Town Centres uses are considered acceptable in principle, under the relevant policies of the Local Plan, the Council will need to be satisfied that : -

- i) The development can be adequately and safely serviced, with adequate provision for car and cycle parking to serve customers and employees;
  - ii) The scale and character of the proposed development is in keeping with the size and role of the location and enhances local character;
  - i) A safe and secure pedestrian environment is created, protected from the elements where possible, designed to ensure ease of use throughout by everyone;
  - ii) The proposal makes adequate provision for the storage and disposal of litter;
  - iii) The proposal would not have a detrimental impact on residential or local amenity.
- In addition, and where appropriate, major development should provide : -
- iv) Public waste and recycling facilities;
  - v) Public seating
  - vi) Public conveniences, including baby changing/feeding facilities and facilities for people with disabilities

Planning Policy Statement 1: Delivering sustainable development

Planning Policy Statement 4: Planning for sustainable economic growth

PPG13: Transport

## **SITE AND SURROUNDINGS**

9. The application site is situated within the wider Teesside Park development which incorporates a mix of leisure and retail uses. The site is situated to the north of the retail park and lies within an area consisting mainly of restaurants and food outlets. To the west and south of the site lies the highway which serves the retail park, to the north is the A66 and to the east several food outlets.
10. The A66 is set well below the site and due to the highway infrastructure the site itself is largely set below road level. Several trees and shrubs also surround the periphery of the site to the north, west and south. At present the site has a neglected appearance following the closure of the health club facility.

## **MATERIAL PLANNING CONSIDERATIONS**

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

### **Principle of development;**

12. The application site lies within an out-of-centre retail destination. Current national and local planning policy promotes centres and encourages appropriate development within them. PPS4 in particular addresses economic development and states that 'town centre developments' (such as those proposed) should not be located in out of centre locations except in circumstance where the development does not cause a significant amount of harm to existing centres and where there are no sequentially preferable sites available. PPS 4 also states that planning applications for main town centre uses that are not in a centre should be assessed against the impact they would have on existing committed and planned public and private investment in a centre or centres in the catchment area of the proposal. The submitted impact assessment does not adequately assess the impact that the proposal will have upon the deliverability of similar hotels within key regeneration schemes in Stockton and Middlesbrough.
13. As part of the submission the applicant has submitted a planning statement and sequential assessment, various supporting comments have also been put forward by the operators to outline why they wish to be located on this site (see appendices). The sequential approach has

considered potential sites, within and on the edge of town centres in the following order :Middlesbrough Town Centre; Stockton Town Centre; Billingham Town Centre; and Thornaby Town Centre. Sites in all these localities have been considered and discounted, however, the sequential approach is not considered to be sufficiently robust and it would appear that there has been a degree of inflexibility in the operational requirements of the individual operators within the sequential approach to site selection. In particular, the rationale that the hotel needs to have direct links to both the A66/A19 is questionable and no justification is provided as to why Travelodge's operational requirements could not be met from a more sequentially preferable site. Furthermore the **Tees Valley – Hotel Futures** report also detailed that Stockton Borough Council's priority locations for new hotel developments are both on North Shore and within Stockton town centre.

14. Various correspondence has been received from the proposed hotel operator, Travelodge. Within the correspondence received it is made clear that they are not willing to consider any alternative location within Stockton but only Teesside Shopping Park. Justification has also been given that there are numerous other hotels located within major, regional, out-of-town shopping centres that provide important ancillary services to these centres. Examples given of Travelodges on such sites include the Trafford Centre in Manchester, at Sheffield Meadowhall, at Braehead Shopping Park in Glasgow, at Cribbs Causeway in Bristol and near to Bluewater in Kent. It is further argued that Teesside Shopping Park has very similar dynamics, but has no branded hotel provision and that national planning policy allows authorities to adopt a flexible approach when considering the operational and market requirements of hotels for a distinct market such as a regional shopping centre. Whilst it is recognised that the PPS4 definition for a sub-regional shopping centre are those greater than 50,000 sqm it should be noted that the role that Teesside Park actually plays is much more local than the larger sub-regional shopping centres mentioned which have the potential to attract customers from areas from upto 100-200 miles away and it is clear that Teesside Park is very different to those examples given and its retail offer is largely represented on many successful high streets across the country.
15. In terms of the restaurant or public house, this area of Teesside Park is already well catered for in terms of choice and is a popular destination in which to dine. There is therefore significant concern that these uses will strengthen the position of this part of Teesside Park as an eating and drinking area. This is of concern given the regeneration aims the Council has to strengthen and add variety to the evening economy within the Town Centre. Equally from the sequential assessment point of view it is considered there are several vacant units available within the Town Centre that could accommodate such uses.
16. Various discussions have been held with the applicants since the withdrawal of the previous application to discuss alternative uses. However, it is difficult to consider what town centre uses could be accommodated on the site without there being some kind of impact on the Town Centre. It may be that smaller town centre uses have less of an impact but the combined effects could be just as harmful. Protecting and enhancing the vitality and viability of Stockton Town Centre is extremely high on the Council's priorities and whilst the redevelopment of the site may have some regeneration benefits (discussed below) it should not be at the expense of or cause risk to the Town Centre. Particularly as Teesside park does not seem to be suffering from the negative effects of the current environmental state of the site.
17. It is also important to consider that the proposed site is largely served by the private car and is not particularly well served by other means of transport. In an earlier appeal decision for the site, the Planning Inspectorate concluded that whilst the proposed retail development would nominally be accessible by a choice of means of transport, it would be unlikely to assist in reducing the need to travel by car or the overall travel demand. Whilst it was acknowledged that linked trips may occur between the other uses on Teesside Park, it was considered the scheme would fail to reduce the dependency on the car and consequently failed to address criteria vi of policy S2.

18. Given the above it is therefore considered that the proposed uses could be accommodated either within the Town Centre individually or be combined on a site much closer to Stockton Town Centre. Furthermore the issue of the site being an unsustainable location also remain. Accordingly the principle of the proposed development is not considered to be acceptable.

### **Regeneration Aspirations;**

19. As background to the proposal, it is important to recognise that Stockton Town is struggling to compete with the out-of-centre retail and leisure destinations of areas such as Portrack Lane and Teesside Park. In order to try and address recent decline a number of documents (both as part of the LDF and to inform regeneration Initiatives) have been commissioned/produced to try and understand the issues facing the Town centre and develop a way forward to improve the Town Centres vitality and viability. These include the Stockton Town Centre Urban Design guide (draft 2010) and the Stockton Town Centre Evening Economy Feasibility Study (July 2010)
20. Clearly the proposed development has some benefits, through the redevelopment of the site. These include addressing a shortage of hotel bed spaces within Stockton Borough (exacerbated by the closure of the Swallow Hotel in Stockton Town Centre); investment/potential spending within the local economy; job creation; and improving the appearance of the application site. These benefits must however, be weighed against the longer term and wider regeneration aspirations for the Borough.
21. One such aspiration is to develop an evening economy within Stockton Town Centre. In having regard to the more immediate plans for introducing an evening economy into the northern part of the town centre. Stockton Town Centre Evening Economy Feasibility Study (July 2010) carried out an assessment of the Town Centre and its evening economy and suggests a number of delivery plans that outline opportunities barriers and stimulate and help diversify the leisure/evening economy.
22. Within the document it is highlighted in the Strength, Weakness, Opportunities and Threats (SWOT) analysis that as a weakness of Stockton Town Centre and its evening economy is that there is no restaurant/café culture and hotel/serviced accommodation. Approval of further eating establishments and a hotel may therefore increase the attraction of Teesside Park and further dilute the market and harm the potential to attract new businesses and hotel operators to the town centre. Equally the proposal would weaken the potential for a similar or higher quality hotel investment in Stockton Town Centre, whilst the "ancillary" food and leisure activity would also further undermine the vibrancy and sustainability of the town centre.
23. It is acknowledged that there is support both from within the Borough and also from outside the borough in respect of the job creation of the scheme. It is noted that the proposed development could provide over 120 full time jobs (including during construction), however, post construction it is anticipated that this number would be significantly less. Clearly, the issue of job creation should not be lightly dismissed in the current economic climate and this needs to be weighed up against the aims of planning policy and wider regeneration aspirations.
24. In considering the above, it is acknowledged that the proposed development may have some regeneration benefits in terms of job creation and improving the appearance of the application site. However, in view of the wider regeneration aspirations there remains serious concern over the proposal and the impacts that such a development may have on attracting new/additional investment into priority regeneration areas/plans.

### **Character of the area;**

25. The application site is situated within an area where there is a wide range of food outlets, each with a distinctive and differing visual appearance, often reflecting a corporate image. The

proposal seeks permission for a series of modern and contemporary buildings that incorporate a variety of modern materials. The individual elements also have a distinctive design that knit together well and will help the scheme fit into the surrounding environment. The external appearance of the proposed development is therefore considered to be appropriate in terms of its design, scale and materials and is not considered to harm the visual amenity of the locality.

26. Although the proposed development is considered visually acceptable and whilst it is accepted that the proposal may have some merit in terms of its visual improvements to the neglected appearance to the Springs site, it is not considered that this alone is sufficient enough to outweigh the planning policy objections to the proposal as set out above.

#### **Landscaping;**

27. The Council's landscape officers have considered the proposed development and note the very prominent position of the site. As such more land must be made available for tree planting to help soften the scheme on the western site boundaries. It is considered that further information and/or amendment need to be provided/made so that the amount of tree planting allowed can be assessed and the requirement to utilise the existing road verge space accurately considered.
28. Without such information an objection to the scheme has been raised and the proposal is considered to harm the visual amenity of the locality, contrary to PPS1 and policy CS3.

#### **Amenity;**

29. The application site lies within a commercial area dominated by retail and food outlets, therefore the proposed hotel, pub and restaurant uses are considered to be compatible with the surrounding uses and will not cause significant harm to levels of amenity that are currently enjoyed. Equally the surrounding activities are not considered to have a detrimental impact on the amenity of the proposed development. Given the above there are no grounds to justify a refusal of the application on amenity grounds.

#### **Access and Highway safety;**

30. The Head of Technical Services and The Highways Agency have considered the proposed development and note that given the site has extant permission for the D2 use (health/fitness club) the proposed new development will attract less traffic in peak traffic periods than the original Spring's Development and that the existing junction arrangements can adequately deal with expected traffic.
31. The Transport Statement correctly identifies the need for improvements to pedestrian and cycling facilities. At present there is a purpose built cycleway/footway to the west of Teesside Park Drive. However, this is separated from the site by a four lane dual carriageway with poor crossing opportunities. It is suggested by the Head of Technical Services that a Grampian condition be included should the development be approved for the pedestrian and cycling improvements.
32. The overall layout has been designed in accordance with the Council's Design Guide and Specification, Supplementary Planning Document 3: Parking Provision in New Developments and by developing a car park accumulation survey. 130 parking spaces are provided in accordance with the information provided in the car park accumulation survey. This is acceptable as residents of the hotel are likely to use the facilities of the pub and restaurant and hence shared trips occur.
33. Given the above the Head of Technical Services and the Highways Agency have no objections to the proposed development on highway safety grounds subject to controlling conditions.

### **Flood Risk;**

34. The application site is located within Flood Zone 2 (low-medium risk), both the Environment Agency and the Council's Urban Design officers have considered the proposed development. There is no objection to the proposed development on flood risk grounds, although there is the requirement for the use of permeable surface materials to be used for footpaths, car parks and any other suitable areas to reduce surface water flooding, are noted and should member decide to approve the development could be addressed via a planning condition.

### **CONCLUSION**

35. Significant concerns remain regarding the proposed development in terms of planning policy, the impact on Stockton Town Centre and the Council's regeneration aims. Whilst it is recognised that the proposed development may have some regeneration benefits in terms of investment, physical regeneration and job creation, it is not considered that this is sufficient enough to outweigh the harm that could be caused to Stockton Town Centre or current regeneration initiatives.

36. On this basis the proposed development is considered contrary to policies CS2 and CS5 of the Core Strategy, Policy S2 of the Local Plan Alteration and National Planning Guidance and is consequently recommended for refusal.

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

### **WARD AND WARD COUNCILLORS**

**Ward** Mandale And Victoria  
**Ward Councillor** Councillors S F Walmsley & T Large

### **IMPLICATIONS**

#### **Financial Implications.**

None

#### **Environmental Implications.**

As report.

#### **Community Safety Implications.**

Section 17 of the Crime and Disorder Act 1998 has been taken into account in preparing this report

#### **Human Rights Implications.**

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

### **Background Papers**

Stockton on Tees Core Strategy  
Stockton on Tees Local Plan Alteration  
Planning Policy Statement 1: Delivering sustainable development  
Planning Policy Statement 4: Planning for sustainable economic growth  
PPG13: Transport  
Planning Applications 06/3648/FUL & 10/1533/FUL