

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

31st August 2011

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

11/1472/FUL

The Holmes Nature Reserve, Chesterton Avenue, Thornaby

Installation of artwork by creation of three attractive wave forms seen as earthworks from the landward side and in stone face from the river and opposite bank. The embankments will provide enhanced river views by enabling an extended perspective from the raised ground, and also provide a rest area overlooking the river with a seat built in to one of the stone faces

Expiry Date 1st September 2011

SUMMARY

The application relates to The Holmes Nature Reserve, Chesterton Avenue, Thornaby, which will form part of the Tees Heritage Park. The proposal as detailed above is to be positioned along a stretch of River Tees embankment at raised level providing an elevated view of the river. Access to the reserve is via a public footpath leading from the hammer head of this residential street of Chesterton Avenue, Thornaby.

11 letters of objections from residents within surrounding streets of Chesterton Avenue, Lawrence Road, Thornaby and from a resident in Middlesbrough have been received along with two letters of support from a resident at Chesterton Avenue and Netherby Close, Yarm. The main concerns raised are based on anti-social behaviour, impact on nature reserve/ wildlife with man made structure, visual impact, highway safety issues within this locality and lack of consultation with regards to the proposal. In accordance with the approved scheme of delegation, the application is being reported to the Planning Committee for determination.

The applicant has submitted relevant documentation justifying the development in this location and has emphasised that the proposed development will benefit the local community by continuing their enjoyment of the natural environment and encourage its recreational use, without having a detrimental impact on the wildlife, existing landscape features and providing a sustainable form of development.

The proposed developments is considered to not have a significant adverse impact on the character of the surrounding area or amenity of surrounding sites and does not have any significant impacts on species of conservation importance, flood risk or highway safety. The development is judged to be in accordance with Government guidance and local planning policies.

RECOMMENDATION

Planning application 11/1472/FUL be Approved with Conditions subject to

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>TV044.20</i>	<i>15 June 2011</i>
<i>TV044.30REVA</i>	<i>7 July 2011</i>

Reason: To define the consent.

Materials

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

Reason: To enable the Local Planning Authority to control details of the proposed development in the interests of visual amenity.

Site and floor levels;

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

Reason: To define the consent

INFORMATIVES

General Policy conformity;

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the development is considered to be visually acceptable and does not have any significant impacts on species of conservation importance, flood risk or highway safety and there are no other material considerations which indicate a decision should be otherwise.

Core Strategy Development Plan Document (adopted 24 March 2010)

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

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change (adopted 24 March 2010)

Core Strategy Policy 6 (CS6) - Community Facilities

Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 9: Biodiversity and Geological Conservation

Planning Policy Guidance 24: Planning and Noise

Planning Policy Statement 25: Development and Flood Risk - December 2006

PROPOSAL

1. Planning consent is sought for the installation of artwork within the River Tees Embankment. The proposed artwork will comprise three wave forms made of local sandstones, embedded against earthwork at distance of approx. 5.0m from the bank of the River Tees.
2. Each wave form will measure approximately 1.2 metres in height and be 3 metres wide and 8 metres long. The proposal intends to provide an elevated river view along with a seat built into one of the stone faces.
3. The applicant has stated within the submitted Design and Access Statement that the design of the work has been drawn from an extensive arts project with Yr 5 children at Bader Primary School. The scheme was subject to a programme of public consultation through public exhibition in Stockton and Thornaby, advertised via local radio and press releases.

CONSULTATIONS

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

Councillors

No comments received

Head Of Technical Services

I refer to your memo dated: 08/07/11

General Summary

Subject to the comments below technical Services have no objections.

Highways Comments

The applicant has provided details of vehicle movements and staff numbers during construction, there being 2 staff on site, 1 delivery of plant and 1 delivery of materials. Given the small number of vehicle movements and staff, this is acceptable.

The applicant has confirmed that wheel washing will be undertaken to ensure mud/ detritus is not carried onto the highway however this should be conditioned.

Landscape & Visual Comments

The proposed artwork is part of a wider strategy for Tees Heritage Park and therefore Urban Design supports this application in relation to landscape and visual.

The Environment Agency

Thank you for referring the above application which was received on 8 July 2011. Having reviewed the application, we have no objection to the development as proposed.

For information, our records show that there could be Otter in the area. These are protected under the Wildlife & Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. Further guidance can be found at Natural England's website <http://www.naturalengland.org.uk/>

British Waterways

Thank you for your consultation dated 08 July 2011 in respect of the above.

British Waterways (BW) is a public body set up to maintain and develop the network of canals and other inland waterways in a sustainable manner so that they fulfil their full economic, social and environmental potential. In addition to statutory navigation and safety functions, British Waterways has to:

- Conserve our waterway heritage and environment
- Promote and enable rural and urban regeneration
- Maintain and enhance leisure, recreation, tourism and education opportunities for the general public and
- Facilitate waterway transport

After due consideration of the application details, British Waterways is content with the proposal as a statutory consultee.

Countryside And Green Space

No comments received

Tees Archaeology

The small scale of the works is unlikely to have a significant impact on archaeological deposits. I therefore have no objection to the proposal and have no further comments to make.

Head Of Community Protection

I have checked the ASB & police systems for the last year and there was only 1 report on the 16/04/11 Re: youths drinking on the field, & 1 report on 20/06/11 of youths camping on the field, enforcement attended but no youths seen.

Tees Valley Wildlife Trust

Thank you for consulting the Wildlife Trust on this matter. We can confirm that otter has been recorded regularly using the River Tees between Yarm and the Tees Barrage since 2004. The species is protected under the Wildlife and Countryside Act and is a UK Biodiversity Priority species.

I have examined the application for work at the Holmes. The proposal will not involve the removal of dense vegetation which might act as cover or a resting place for otter and it will not affect ground within 5 metres of the River Tees, which might be used as a corridor for movement and dispersal of animals. On this basis the application will not have any impacts on otter or other protected species.

PUBLICITY

5. Neighbours were notified and 11 letters of objections have been received from No.11, 21, 23, 27, 29, 33 and 38 Chadderton Drive, Thornaby, No.9 Lawrence Road, Thornaby and No.28 Ashford Avenue, Acklam, Middlesbrough.

These letters of objections can be summarised as follows;

- The proposal will disturb the peace and tranquillity of the nature reserve
- Be detrimental to wildlife in reserve
- Man made structure will be blot on the beauty of the natural landscape
- There is an existing vandalism and anti-social behaviour which will be increased with proposal
- Parking in Chesterton Avenue is in existing problem and will be worsened by more visitors from the proposal
- Will increase traffic flow to Chesterton Avenue via The Green, Thornaby
- Relocate the proposal to the other side of the river to avoid the above concerns

- Lack of consultation with neighbouring properties by the applicant.

Two letters of support were also received from No.33 Chesterton Avenue, Thornaby and No.1 Netherby Close, Yarm stating the following:

Summarised:

- In favour of the application
- THP will be a great Asset to Stockton and should be supported and favour all the Gateways proposed.

PLANNING POLICY

6. 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)
7. The following planning policies are considered to be relevant to the consideration of this application:-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing

features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;

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

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

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

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

Core Strategy Policy 6 (CS6) - Community Facilities

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

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

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

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

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

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

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

7. 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.

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

9. 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.

10. 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.

National Planning Policy Considerations:

Planning Policy Statement 1: Delivering Sustainable Development
 Planning Policy Statement 9: Biodiversity and Geological Conservation
 Planning Policy Guidance 24: Planning and Noise
 Planning Policy Statement 25: Development and Flood Risk - December 2006

Ministerial Statement from Greg Clark

"When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable

development. Where relevant - and consistent with their statutory obligations - they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity)

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date

(v) Ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

SITE AND SURROUNDINGS

8. The application site is located within the Tees Heritage Park and is known as The Holmes Nature Reserve. The reserve has one point of access via an existing public footpath leading directly from the hammer head of Chesterton Avenue, Thornaby. The point of entry to the reserve is enclosed with a timber post and rail access gate, located adjacent to neighbouring boundaries of No. 23 (east) and No.27 Chesterton Avenue, Thornaby (northwest). The associated footpath is presently being improved in terms of accessibility by the implementation of associated steps and timer handrails due to the steep gradient of the access, decreasing in ground level from Chesterton Avenue towards the main land of the reserve (south).
9. The reserve itself is a large area of open space in a meandering shape in relation to the River Tees. The land is enclosed with a screening of dense mature trees, hedgerows and shrubs, which run along the associated footpath leading to the proposed siting of the development.
10. The actual siting of the proposal is an open embankment which is directly adjacent to the river with a minimum separation distance of approx. 260 metres from the rear boundaries of No.35 to No.27 Chesterton Avenue which are the nearest residential properties in relation to the proposed development and set at a higher level. These neighbouring properties are screened by existing timber fences and trees and shrubs.
11. On the opposite side of the river to the north, there is an area of open space, whilst to the west on the other side of the river embankment, there are residential properties (along Wateravens Way) associated to the Bowesfield residential development, at a separation distance of approx. 320 metres away from their rear boundaries.

MATERIAL PLANNING CONSIDERATIONS

12. The main planning considerations are compliance with planning policy, the impacts on the character of the area, amenity of neighbouring residential properties, flooding, species of nature conservation importance, access and highway safety and other material planning considerations. These matters are considered below;

Principle of Development;

13. This application site is an established nature reserve, given that the proposal is related to artworks it is not considered this significantly affects the nature of the existing use of the site. Policies CS2(1), CS3(8) and CS6 (2) promote accessibility, the enhancement of environmental assets, the creation of high quality public open space and encourage the widening of recreation and leisure offers, particularly along the River Tees corridor. Furthermore, policy CS10 (7) of the Core Strategy supports the improvement of the environment through initiatives which strengthen habitat networks, the tourism offer and biodiversity and refers specifically to the Tees Heritage Park.
14. Given that the development would encourage recreational use of the land and promote the tourism and leisure offer through the Tees Heritage Park and the proposal is considered to accord with the aims of the above core strategy policies and the overarching aims of PPS1. The development would also help achieve environmental and social benefits, in line with the recent Ministerial Statement of Mr Greg Clark MP. The principle of development for the proposed artwork, is therefore considered acceptable in land use terms.

Impact upon the character of the surrounding area:

15. Overall the proposed development maintains the existing open nature of the site and is of a design that has incorporated the use of natural materials, together with incorporating existing land features such as a raised embankment and earthworks are an existing natural feature within the reserve. The proposal will be of an appropriate scale and design which will maintain the character of the surrounding area and is not considered to have a detrimental impact on the setting of the area or its landscape value as a whole.
16. In addition, due to the existing landscape features and undulating ground levels in relation to neighbouring residential properties along Chadderton Drive, the visual impact of the proposed artwork will be minimal.
17. Council's Landscape Architect has provided comments to the application, stating that as the proposed artwork is part of wider strategy for Tees Heritage Park, they support this application on landscape and visual grounds.
18. Therefore, the proposed development would not conflict with adopted Core Strategy Policy CS3 in this respect.

Impact upon the amenity of neighbouring properties:

19. Concerns and objections have been raised by local residents in relation to increase in noise, anti-social behaviour and fear of an increase of crime and disorder within this locality by the proposed development. PPG24 (Planning and Noise) outlines that local planning authorities must ensure that development does not cause an unacceptable degree of disturbance and that they should have regard to subsequent intensifications or changes of use which may result in greater intrusion.
20. Whilst the concerns of the local residents are duly noted, the application site already forms part of the nature reserve and attracts visitors at present. This predominately results in activities such as walking and fishing. Given the independent footpath access, the limited scale of the development and its siting within the reserve it is considered that the proposal

would not significantly increase the levels of noise and disturbance beyond that which presently exists and the proposal is therefore not considered to have a significant impact on existing levels of residential amenity. Furthermore, the Head of Community Protection has commented that there are few recorded incidents of anti-social behaviour on the site. There is therefore little evidence that suggests there is a current anti-social behaviour problem in this locality or that the proposal would significantly increase anti-social behaviour, crime or disorder at the site to justify the refusal of this application.

21. Section 17 of the Crime and Disorder Act 1998 places a duty on the authority to consider the crime and disorder implications of the proposal. However, in this instance there is no robust evidence that this development would lead to an increase in crime in this locality. Issues such as fear of crime based on assumptions not supported by evidence should not be accorded any great weight in the determination of a planning application. Therefore, the application is considered not to be contrary to Section 17 of the Crime and Disorder Act (1998) and the requirements of Policy CS3.

Flood risk:

22. The site is situated within Flood Zone Level 3 of the proposals map and due to the nature of the proposal being a water compatible development, there was no requirement for a Flood Risk Assessment (FRA) to be submitted as part of the application. Nevertheless, the Environment Agency was consulted and raised no objection to the application. Therefore, the proposal is considered to be in accordance with PPS25 and would not pose an unacceptable flood risk to the future users of the site.

Nature conservation;

23. Tees Valley Wildlife Trust was consulted with regards to the proposed development and its impact on the existing wildlife within the site, with specific regards to the presence of otters which is a protected species. Within their comments, the trust confirmed that proposed works and development would not have any impacts on otter or other protected species.
24. Therefore, the development does not pose any significant threat to protected species or habitats within this locality and is in accordance with Core Strategy Policy CS10 and PPS9 in this respect.

Access and Highway Safety:

25. In terms of highway safety, the Head of Technical Services has no objection to the application following the submission of further information with respects to vehicle movements and staff numbers during construction of the proposal.
26. In relation to the concerns raised by local residents regarding existing and future parking problems within Chadderton Drive by visitors of the reserve, the Head of Technical Services will comment at the meeting.
27. The proposal is not considered to result in any significant impacts on highway safety.

Residual Issues:

28. Some objectors have raised the issue of a lack of consultation by the applicant and Friends of Tees Heritage Park (FTHP) The applicant has stated within submitted application, that they carried out extensive public consultation about the wider Tees Heritage Park development and associated artworks via exhibitions, roadshows, radio and press releases in the Stockton and Thornaby area, which received no significant negative feedback.
29. In addition, to this matter, the current application has carried out a statutory neighbour consultation to surrounding occupants of Chadderton Drive, which all relevant responses

have been received and addressed within this report. It is therefore considered adequate consultation has been carried out for a development of this scale and nature.

Human Rights Implications:

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

CONCLUSION

31. Having regards to the merits of the application and the proposal being considered an enhancement of the existing nature reserve to the benefit of the local community, the proposed development is considered to not have a significant adverse impact on the character of the surrounding area or amenity of surrounding sites and does not have any significant impacts on species of conservation importance, flood risk or highway safety.
32. Therefore, the development is judged to be in accordance with adopted Core Strategy Policies CS2, CS3, CS6 and CS10 and national policies PPS1, PPS9, PPG24 and PPS25. The application is therefore recommended for approval.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Fahim Farooqui Telephone No 01642 528558**

WARD AND WARD COUNCILLORS

Ward	Village
Ward Councillor	Councillor M Eddy
Ward	Village
Ward Councillor	Councillor I J Dalgarno

IMPLICATIONS

Financial Implications:

As report

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:

Core Strategy Development Plan Document (adopted 24 March 2010)

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 9: Biodiversity and Geological Conservation

Planning Policy Guidance 24: Planning and Noise

Planning Policy Statement 25: Development and Flood Risk - December 2006

