

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 8 FEBRUARY 2012

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

11/2909/FUL

**Springs Leisure Centre, Haydock Park Road, Teesside Shopping Park
Construction of a 66-bed Travelodge, Nandos Restaurant and Harvester Restaurant (Use
Class A3) with associated car parking.**

Expiry Date 22 February 2012

SUMMARY

The application site is situated within the wider Teesside Park development that 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. The A66 is set well below the site and due to the highway infrastructure the site itself is largely set below road level.

Two previous applications have been submitted for development on the site similar to that currently proposed. The first was withdrawn in 2010 (app ref 10/1533/FUL) following concerns that the Local Planning Authority had regarding the development. A revised application (app ref 10/2762/REV) was then submitted with members of planning committee refusing the application due to the proposed development relating to town centre uses in an out of town location and due to the unsustainable location of the site with limited opportunities for more sustainable methods of transport such as walking and cycling. No appeal was lodged against this decision.

Planning permission is sought for 3 separate buildings for the purposes of a Travel lodge hotel and 2 restaurants with the demolition of the former 'Springs' leisure club building. All of the buildings would have an individual style and contemporary design. The additional information has also been considered to try and address the previous reasons for refusal.

Notwithstanding the additional information supplied with this current planning application, significant concerns remain regarding the proposed development in terms of planning policy, the impact on Stockton Town Centre and the Council's regeneration aims, including the committed twenty million pounds of expenditure within the Town Centre. Whilst it is also 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 these concerns. The site is also considered to remain unsustainable given the site's remote, out-of-town location. Patrons are therefore unlikely to walk, cycle or use public transport to travel to the site.

RECOMMENDATION

Planning application 11/2909/FUL be Refused for the following reasons

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 Core Strategy policy CS5, 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.

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. Two applications were then submitted that were similar to that currently proposed. The first was withdrawn in 2010 (app ref 10/1533/FUL) following concerns that the Local Planning Authority had regarding the development. A revised application (app ref 10/2762/REV) was then submitted again for a 66-bed Travelodge, Nandos Restaurant and Harvester pub/restaurant with associated car parking, members of planning committee for the following reasons refused this application;

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.

3. No appeal was lodged against this decision.

SITE AND SURROUNDINGS

4. The application site is situated within the wider Teesside Park development that 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.

5. 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.

PROPOSAL

6. Planning permission is sought for 3 separate buildings for the purposes of a Travelodge hotel and 2 restaurants (A3 use) with the demolition of the former 'Springs' leisure club building. All of the buildings would have an individual style and contemporary design.
7. 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.
8. The only major change to the scheme is that the pub element has been removed from the Harvester unit, with this now being considered for restaurant use only. The supporting documentation also sets out that the applicant is willing to offer funding for the improvements to pedestrian and cycle crossing points around the site as well as provide funding for 5 years to a Sunday service to Teesside Park. Additional information has also been submitted with respect to the draft National Planning Policy Framework and the previous reasons for refusal.

CONSULTATIONS

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

Councillor T Large

No comments received

Councillor S F Walmsley

No comments received

Councillor Tracey Stott

No comments received

Head of Technical Services

General Summary

Technical Services has no objection to this application, subject to the comments below.

Highways Comments

A Transport Statement has been provided to support the development; it indicates that the proposed development will attract less trips in peak traffic periods than the original Health Club use. As the principle of Health Club development is established on the site and this proposal overall generates less trips in peak periods than the extant use then this is acceptable. Although it is noted that there are currently no trips on the local highway network associated with the extant use as the site is unused. There is however concern that the development overall will attract additional trips to Teesside Park from visitors, additional deliveries, including HGV deliveries and more staff travelling to Teesside Park. Traffic levels are often saturated at peak times leading to frustration with drivers and this development could exacerbate the

problem however, as a result of the extant consent, it is considered that a highway objection may be difficult to substantiate.

The Transport Statement indicates trips for the hotel and 2 restaurants during the evening peak traffic period of 62 two way trips, 37 arrivals and 25 departures. This compares to 176 trips for a Health Club, 112 arrivals and 64 departures. These trip rates are derived from TRICS a Nationally recognised database used for assessing trips to various uses. These figures are acceptable, although the Transport Statement incorrectly states they are existing trips, as previously noted the site is currently unused.

The Transport Statement states that the existing junction arrangements adequately deal with expected traffic and no changes are required. The access to the site is from the existing access that serves other restaurants in this area of Teesside Park and is acceptable.

The Transport Statement recommends improvements for 'Non motorised users' and identifies the need for improvements to pedestrian and cycling facilities. There is an existing footway/cycleway to the south of Teesside Park Drive; this is separated by a five lane dual carriageway with no pedestrian facilities. The hotel development is likely to increase the number of pedestrians crossing Teesside Park Drive towards the retail elements of Teesside Park including Morrison's and McDonalds. It is suggested that a substantial length of guardrail along the northern kerb line of Teesside Park Drive be introduced to guide pedestrians to crossing points to the east of the 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, this guardrail will force pedestrians to walk within the carriageway, it is therefore suggested that should the development be approved a Grampian condition should be included for pedestrian and cycling improvements to be introduced by the Highway Authority prior to commencement of development.

An indicative pedestrian/cycle link access to the site adjacent to the hotel is shown on the proposed site plan. This runs directly up the existing embankment that surrounds the site. The gradient of this access should be 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.

The Transport Statement also includes details of discussions with the existing bus operator about potential extension to evening operating times that will better serve the proposed development; these have not been verified by the bus operator.

The developer is also proposing to fund a new half hourly Sunday bus service for all stops on the current route for five years. It is proposed that the service will operate between 10.40 and 17.40. This increases the connectivity and sustainability of the site to the surrounding areas and supports the proposed travel plan. It is therefore recommended that should the development be approved the developer enters into a S106 agreement for annual funding for the additional bus service to commence on opening of the development and to continue for a period of five years.

The site is located approximately one mile from Thornaby Railway Station; however it is unlikely that this mode of travel will serve the development for anyone other than the occasional hotel user, who is also likely to travel from the station by taxi. It is unlikely that the proximity of the railway station will form any part of the Travel Plan.

The site layout has been developed in accordance with the Council's Design Guide and Specification, Supplementary Planning Document 3: Parking provision for Developments 2011 and by developing a car park accumulation survey. The proposal should provide a maximum of 149 parking spaces, 130 are provided in accordance with the car park accumulation survey. This is acceptable as residents of the hotel are likely to use the restaurant facilities and hence

shared trips occur. The Travel Plan is also proposed that will particularly target staff trips to the site and encourage sustainable modes. Disabled car parking is indicated as well as dedicated car share spaces in convenient locations close to the entrances to the buildings 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, between facilities and also into the adjacent site. 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 1.8 metres wide.

Cycle shelters are indicated on the layout plan in convenient locations. All shelters should be conditioned to be covered and secure should the development be approved.

No refuse storage is indicated for the Harvester family restaurant, however it is presumed that it will be located within the service area and can be accessed. 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.

The Outline Travel Plan for this development has been considered and contains some positive measures to improve the predicted sustainable modal share of travel to the site. The calculation of the predicted modal split is acknowledged and acceptable along with the 5 year targets. The public promotional events to encourage sustainable modes of travel to the site are a positive commitment. There is however, a need for a firm commitment from the end users to provide a guarantee ride home to reassure staff who car share in the event arrangements alter, experience shows that this provision is rarely required.

In summary, the submitted documents have been considered and there is no highway objection to this development subject to the above comments and suggested conditions should the development be approved.

Landscape & Visual Comments

Former comments made in the last memo reply ref 10/2762/Rev 1 still apply as the application has not changed as in italics below;

Former Springs Leisure Centre

The principle of the revised landscape proposals Drg No 200.04 Rev 1 (Dated 10 January 2011) are acceptable and Urban Design removes their objection to the scheme. Detailed landscape proposals will be required to be conditioned and these must reflect the following:

Soft Landscaping:

On site: In addition to the standard condition the applicant shall confirm:

- that the existing culvert that will run below the proposed landscaping has been abandoned and that the culvert owner will accept planting within the easement.*
- details of root barriers along their service corridor to protect the proposed services from the existing trees and shrubs on highway land shall be incorporated into a detailed landscape scheme.*

As regards the Offsite Soft Landscape works we attach the amended comments below:

Full details of the Offsite planting works on the adopted highway verge are required prior to any site works starting as part of a section 278 agreement. The off site planting scheme would also need to be secured and agreed through either a Grampian condition or section 106 agreement.

The application should be advised that such section 278 work could include;

- Professional fees for the production of plans and procurement of works etc
- Funding of 25 years maintenance. Details of maintenance requirements and costs are stipulated in SPD6 Planning Obligations.
- Provision of access for the Contractor appointed by the Local Highway Authority to access to the embankment to undertake the work. This must be provided from the development site so as to avoid the requirement of Traffic Management on the Teesside Park access road.
- Planting shall be implemented prior to commencement of development on site. This work should be undertaken during periods of deciduous leaf fall i.e. during the months from November to end March.

Environmental Policy Comments

The Design and Access statement states that the development will attempt to provide 10% onsite renewable technologies across the site by way of air tight insulated buildings and sustainable building products selected from the Green Guide to Materials and will accord with the appropriate level of building regulation standards. The document also makes reference to policy CS3; however, there is no information as to how this development will meet these requirements. This needs to be demonstrated and in line with pre planning discussions. This should be conditioned should the development be approved.

Flood Risk Management Comments

The development must not increase the risk of surface water run-off from the site or cause any increased flood risk to neighbouring sites. Any run off must not exceed pre-development rates, if this is not known then a standard green field rate of 3.5 l/s per hectare should be used. Any increase in surface water generated by the development or existing surface water/ ground water issues on the site must be alleviated by the installation of a suitable drainage system within the site. The Council supports the use of sustainable drainage systems and welcomes the pending legislation, therefore the developer should either provide a suitable sustainable drainage system or detailed reasons why this has been discounted.

The detailed design should include calculations showing how the drainage system performs in a 1 year, 30 year and 100 year storm event and again over the same periods with a 30% allowance for climate change. Calculations using the WinDes Software (Micro Drainage) are preferred.

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

Regeneration and Economic Development are continuing to attract new investment to support the regeneration of Stockton Town Centre, therefore in line with Planning Policy, we object to any new development outside of this area that could be sited within the Town Centre boundary.

The recently published independent Portas Review, regarding the future of Town Centre High Streets, also revealed:

‘...that our high streets have reached a crisis point...unless urgent action is taken much of Britain will lose, irretrievably, something that is fundamental to our society...something that has real social as well as economic worth to our communities’.

Specifically, the report recommended that we ‘make explicit a presumption in favour of town centre development in the wording of the National Planning Policy Framework’ and ‘Introduce Secretary of State “exceptional sign off” for all new out-of-town developments and require all large new developments to have an “affordable shops” quota’.

This proposal at the Retail Park would bring about much needed hotel bed spaces into the Borough and utilise the remainder of the retail park with additional A3 and A4 uses. However, bearing in mind the Council's plans for regenerating Stockton High Street, its commitment to spend £20m in improving the Town Centre and the plans to regenerate the adjacent North Shore area, it is necessary to consider any proposal for any new hotel in this context. The Council also has more immediate plans for introducing an evening economy into the northern part of the Town Centre particularly in conjunction with the planned refurbishment of the Globe Theatre, which is due to open in 2013. This investment in the Town Centre will increase the viability of the refurbishment of the Swallow Hotel, which is currently closed and is situated in a prominent position on the High Street.

Agreeing to this investment in the Retail Park would compromise the plans to regenerate the Town Centre and North Shore sites and further dilute the demand for such facilities in the future. Whilst the application for the Retail Park investment does not specifically contain a ‘pub’ there is a concern that the proposal would allow an activity that is similar to that operated in the Talporle Beefeater Restaurant at Whitewater Way. The proposed additional food and leisure activity in this application would undermine the potential vibrancy and sustainability of the High Street economy particularly as family eating destination.

The overall investment, boost to the local economy and creation of jobs is entirely welcomed to the Borough, but this proposal appears to be responding in an ad hoc manner to local demand. It does highlight the need for any new provision to be controlled and managed so that the priority development areas are not diluted especially within the Town Centre and North Shore sites. For these reasons Regeneration and Economic Development consider that on balance, this application should be refused.

Spatial Plans Manager

I refer to the above application. I note that much of the supporting information remains as previously submitted, although I have seen the additional information which has been provided in the sequential assessment and section 7 of the Planning Statement.

My concerns regarding the sequential assessment remain in that the applicant has stipulated that the proposal is ‘location specific’, as Travelodge’s operating requirements include that the new hotel has a direct link to the A66 or A19 and also Teesside Retail and Leisure Park. Again this somewhat inflexible approach to the sequential test has meant that a number of sites have been discounted, with the statement accompanying the application concluding that there are no other locations where the development could be accommodated. However, little justification

has been provided to explain why this requirement overrides a town centre first approach, especially as the company operates a number of town centre hotels locally and nationally.

I would also reiterate that Teesside Park is identified as an out-of-town location. In terms of the sequential approach, there are a number of other alternative locations that are classed as out-of-centre (for example Portrack Lane), which are sequentially preferable to Teesside Park. It is therefore considered that a number of sequentially preferable sites within the conurbation have been prematurely discounted by the applicant and have not been fully assessed. Given it's out of town location, it seems unlikely that Teesside Park will compare favourably with many of those sites when a full assessment is undertaken.

It is considered that the restaurant proposals could be located with the hotel development on a more central site. However, consideration should also be given to the potential to disaggregate the proposal, enabling its different elements to be located in more sustainable, central locations. It is considered that there is scope for disaggregating the development as:

- it is understood that Travelodge operate hotels which operate with an internal bar / restaurant area, in particular the operation in Middlesbrough
- the restaurants will be stand alone facilities that are not integral to the hotel.
- The Good Practice Guide on Planning for Tourism suggests that other new facilities proposed with tourist accommodation should be assessed on their own merits.

Consideration also needs to be given to policy EC16.1a of PPS4 given the Council's commitment to provide £20m of investment in Stockton Town Centre as outline in the Stockton prospectus and recent public consultations. The impacts of this proposal will need to be considered against these plans and the consequences for attracting new investment and achieving 'value for money'.

I also note the offers put forward to improve pedestrian access and the provision of a Sunday bus service through the No. 66/X66 for a period of 5 years. Whilst I have taken these into consideration I am not satisfied that they would have any significant effect on improving the overall sustainability of the site, particularly as funding for the bus service is of a limited period.

It is considered the proposed development still conflicts with planning policies in that there is not a sufficiently robust sequential assessment, that there remain other sequentially preferable sites (in areas such as Portrack Lane and Preston Farm) and that the site remain unsustainable in planning terms. As a consequence I object to this application.

Finally, whilst the draft NPPF sets out its support for economic development and that Local Planning Authorities should apply the presumption in favour of sustainable development and seek to find solutions to overcome any substantial planning objections, it also sets out a clear preference for promoting and support the viability and vitality of town centres. In particular paragraph 78 sets out that "*Local planning authorities should prefer applications for retail and leisure uses to be located in town centres where practical, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered*". Despite the merits of the scheme from an economic standpoint and the emphasis placed on the draft NPPF by the applicant, the view is taken that very little weight can be attached to this document as it has only been published in draft. In addition, it is well known that the Coalition Government intends to make a number of changes and amendments to its content, following consultation responses, press coverage, parliamentary scrutiny and recommendations in the Portas review of the future of the nation's High Streets.

The Environment Agency

Thank you for referring the above application which was received on 29 November 2011. We have no objection to the development as proposed, however we would recommend that the following condition be imposed on any permission:

Condition: Unless otherwise agreed with the local planning authority, prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry or car parking areas shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the local planning authority. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

Informative: Oil interceptors are not required for developments utilising permeable paving for all hardstand car parking areas. In addition, this condition would not be required if all surface water is to drain via the existing surface water sewer *and* this discharges to the foul sewer.

We would also like to offer the following recommendations:

Since the flood risk assessment was prepared we have updated our flood mapping in the area and the site is now shown to be in flood zone 1 (low risk) for fluvial and tidal flooding, although parts of the site are prone to surface water flooding. The assessment of surface water flooding falls within the remit of the local authority, who should be consulted for more information.

For standing advice regarding general surface water drainage issues we recommend visiting <http://www.environment-agency.gov.uk/research/planning/82584.aspx>

In the event of extreme flood conditions (0.1% chance per annum) emergency entry and exit from the site could be impaired; therefore the local authority may wish to consider asking the applicant to prepare a flood warning and evacuation plan.

With regards to foul drainage, the application form indicates that foul drainage will be disposed of via mains sewer. The Sewerage Undertaker should therefore be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

Highways Agency

Thank you for your consultation dated 29 November 2011 regarding the above planning application.

The Highways Agency has reviewed the application information and has no objections in principle to the above named development proposals.

Middlesbrough Borough Council Planning Department

No comments received

Northern Gas Networks

No objections

Northumbrian Water Limited

No Objection

Thornaby Town Hall

Thornaby Town Council fully support the above application.

PUBLICITY

10. Neighbours were notified and the application has been publicised in by a site notice and in the local press. 2 letters of support has been received in relation to the application.

Christopher Young – 9 Chantilly Avenue, Darlington

I wish to reiterate my support for this development. I note in the 12 months since the last application was refused, nothing has been done with the site and it remains an eyesore on entering Teesside Park. In addition, neither Travelodge nor the restaurant chains have relocated to Stockton Town Centre as a result of the previous refusal and in my opinion, the previous decision of the Council to refuse the last application was bizarre in the extreme.

Gemma Barker – 38 Cliff Mount, Leeds

I am writing to offer my support for the above application

I was disappointed to learn that the previous application was refused by your planning committee and hope that this time around it will be considered favourably.

The site of the former Springs gym remains unsightly and extremely run down and I feel that the redevelopment of this area can only prove to be a good thing for the appearance of the area and creation of jobs etc.

PLANNING POLICY

11. 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 saved policies of the Stockton on Tees Local Plan (STLP)
12. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations”.
13. 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.

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

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.

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.

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.

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.

Saved 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

Other relevant material planning considerations include;

- Planning Policy Statement 1: Delivering sustainable development
- Planning Policy Statement 4: Planning for sustainable economic growth
- Planning Policy Guidance 13: Transport
- Draft National Planning Policy Framework (NPPF)

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.

MATERIAL PLANNING CONSIDERATIONS

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

Principle of Development;

15. 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. PPS4 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. Saved Policy S2 of the Local Plan and Policy CS5 of the Core Strategy also reflect this approach in directing new retail and town centre developments towards the defined centres, with Stockton Town Centre being at the top of the hierarchy. Specific reference is made within CS5 in terms of Teesside Park as an out-of-town destination.
16. More recently a Ministerial Statement from Greg Clark MP has stated that local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Amongst others his statement sets out that they should consider fully national planning policies aimed at fostering economic growth and employment and consider the range of likely economic, environmental and social benefits of proposals. Such benefits may include increased consumer choice and more robust local economies (such as job creation). Reference is also made within this statement to Planning Policy Statement 4.
17. It is also necessary to consider the requirements of the draft National Planning Policy Framework (NPPF). Whilst this has been subject to much discussion and criticism from some quarters in the national press, Ministers have made it clear that elements of this document are to be revised and that the document cannot be given significant weight at this time. However, its focus on fostering sustainable development and encouraging economic growth cannot be ignored. The ministerial statement, the draft NPPF and the Localism Act will be discussed below alongside the other relevant planning policy considerations.

Impact:

18. Policy EC16 of PPS4 sets out the impact assessment requirements that planning applications for main town centre uses, not in accordance with an up to date development plan must be considered against. These include; the impact of a development on existing, committed and planned public/private investment in a centre(s); the impact of the proposal on town centre

vitality and viability; the impact on allocated site being developed; impact on trade/turnover in centres or the wider area; scale ; and any locally important impacts.

19. An impact assessment has been completed by the applicant and submitted alongside the application. The impact assessment considers; trading impact; employment impact; impact on Town Centre investment and scale. The impact assessment sets out that the Harvester cannot be disaggregated from the Travelodge as it will need to provide breakfast and the McDonald's on the opposite side to the site is the only premise in the area that currently offers this facility. It is considered this shows a degree of inflexibility as alternative arrangements could easily be provided such as ordering in 'breakfast packs' and equally there is no guarantee that any of the surrounding restaurants would not take a commercial decision to open for breakfast as a result of the Travelodge being accommodated on the site.
20. The report assesses each element in some detail and the Council has no specific evidence to counter much of the 'quantitative' information put forward. It is however, considered that 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, or in attracting these types of business (hotels and restaurants) to the Town Centre. Consideration should also be given on the impact of the development on the committed £20 million of investment planned for Stockton Town Centre and investor confidence, although no specific development proposals exist in terms of new buildings/uses. As a result it cannot be demonstrated that there would be any significant harm or impact on these sites and any planned private/public expenditure as a result of the proposal, a reason for refusal could not be justified in this regard.

Sequential assessment:

21. In line with the requirements of PPS4 a sequential assessment has been undertaken. 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, in terms of their availability, suitability or viability. The view remains that the sequential approach has been inflexible as it is location specific due to Travelodge's specific requirements and little justification being provided to explain why a town centre first approach (with a degree of flexibility) has not been fully considered, particularly as Stockton Town centre is not more than a few minutes drive from either the A19/A66 along the direct routes of Portrack Lane and the South Stockton Link Road (1825 Way). Additional information has been included with reference to land at Portrack Lane (near B&Q) and that the surrounding land uses mean that they are not compatible with those proposed. There are many commercial activities adjacent to the eastern part of the site (that previously proposed a hotel) these are typically either office, trade units or in retail use. It is also claimed the site offers no direct link to the A19/A66 to meet with the specific requirements of Travelodge. Contrary to the assertions made by the planning agent it is considered that the surrounding uses would be compatible with the hotel and restaurant uses. Elements of the site also lie immediately adjacent to the A19 and easy access is provided to the A19 and the A66, just to the south of the 'Tees flyover'. Reference is also made to this site being an unsustainable location and therefore, remains an unsuitable site. Whilst it is agreed that this site is considered unsustainable in planning terms it is classed as edge-of-centre rather than out-of-town and still remains a sequentially preferable site to the Teesside Park area. Equally no consideration has been given to sites in and around the Preston Farm area. Whilst this also remains an edge-of-centre site it is still sequentially preferable to the Teesside Park area, where good access is also provided to the A66 via the South Stockton Link Road/1825 Way.
22. In terms of the restaurants, 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 destination.

This is of concern given the regeneration aims of the Council to not only add variety to the evening economy within the northern part of the Town Centre the in conjunction with the planned refurbishment of the Globe (due to open in 2013) but also given the commitment to £20m in improving the Town Centre, the regeneration benefits of the scheme will be discussed in greater detail in the report below. Turning back to the arguments regarding the sequential assessment, it is considered that there are several vacant units that are currently available within the Town Centre that could accommodate the floor space shown within the application for these uses (approximately 420 sq.m. (Harvester) and 280 sq.m (Nandos)). The supporting documentation argues that the Harvester element cannot be disaggregated from the Travelodge as it will provide breakfast for any occupiers and none of the surrounding restaurants open at this time and therefore the elements are intrinsically linked. As stated earlier this is considered to show a degree of inflexibility as alternative arrangements could easily be provided.

23. As a result of the above it is again considered that the sequential approach taken has not been 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. The rationale that the hotel needs to have direct links to both the A66/A19 is also questionable and no justification is provided as to why Travelodge's operational requirements to have access to the Strategic Road Network 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.
24. It is also considered that a Hotel in an out-of-centre site may be acceptable once a hotel has been delivered at North Shore or secured within the Town Centre. However, such a strategy would depend on the outcomes of the regeneration DPD. Having assessed current commitments the Spatial Plans Manager is also of the opinion that as shown in table 1 there is sufficient supply to meet bed space requirements up to 2026.
25. Whilst it is recognised that the PPS4 definition for a sub-regional shopping centre are those greater than 50,000 sq.m it should be noted that the role that Teesside Park actually plays is much more local than the larger sub-regional shopping centres such as The Metro and Trafford Centres which have the potential to attract customers from areas from up to 100-200 miles away. It is considered 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 and does as a whole not represent more attraction than a day's shopping/leisure activities.

Draft National Planning Framework (NPPF):

26. Reference is also made within the supporting documentation to the Draft National Planning Policy Framework (NPPF) and its stance that the economic benefits of a proposal are now a key consideration in the determination of planning applications. The report also draws attention to the fact the building is in a state of disrepair and the redevelopment of the site will not only improve its physical appearance but account for a £7.5m worth of private investment. It is estimated that the proposal will generate spends of £1.5m per year and provide up to 64 Full time equivalent jobs as well as 60 construction jobs. However, once the cost of accommodation and eating has been deducted from this figure it leaves a spend of £380k per year in the local area (outside of the application site).
27. In considering the Coalition Governments aims at fostering economic growth and sustainable development, as set out in the Ministerial Statement from Greg Clark MP and the draft NPPF. The national planning policy on delivering sustainable economic growth (PPS4) has been fully considered, (as set out above) and it is considered the proposed development conflicts with these aims and requirements. Whilst the draft NPPF sets out its support for economic development and that Local Planning Authorities should apply the presumption in favour of

sustainable development and seek to find solutions to overcome any substantial planning objections, it also sets out a clear preference for promoting and supporting the viability and vitality of town centres. In particular paragraph 78 sets out that “*Local planning authorities should prefer applications for retail and leisure uses to be located in town centres where practical, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered*”. Despite the merits of the scheme from an economic standpoint and the emphasis placed on the draft NPPF by the applicant, the view is taken that very little weight can be attached to this document as it has only been published in draft and as has been well publicised, the Coalition Government intends to make a number of changes and amendments to its content. The Planning Inspectorate in a number of appeal decisions has also reflected this approach. The focus on promoting and supporting the vitality and viability of town centres is however, more significant as this approach is consistent with PPS4.

28. In line with the above, the proposal needs to be balanced against the positive impacts of the development. Whilst it is acknowledged that the proposal has some economic, environmental and social benefits, in terms of job creation, the level of private investment and the improvement in the appearance of the site, it is not considered that these are sufficient enough to justify a shift away from planning policy in this particular instance, particularly given the potential impacts on Stockton Town Centre and the commitments the Council has made to commit £20m of investment in its regeneration.

Localism Act

29. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account; this section amends section 70(2) of the Town and Country Planning Act 1990. Local finance considerations mean a grant or other financial assistance that has been, will or could be, provided to a relevant authority [i.e. the Council] by a Government minister, or sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
30. The Local Authority does not current has a Community Infrastructure Levy (CIL) in place, it is however noted that the developer has put forward a number of offers for funding towards an extended bus service and improvement of crossing points, although no actual figures have been put detailed. In assessing the above, in respect of the Localism Act it is not considered that any funding put forward by the developer in respect of pedestrian crossings and funding a Sunday bus service for a 5 year period would be so significant as to outweigh the planning policy considerations outlined above.

Policy summary

31. In summary of the above policy considerations and despite the additional information provided in support of the application, it remains the view that the proposed uses could be accommodated either within the Town Centre individually, be combined on a site much closer to Stockton Town Centre or be provided on more sequential preferable out-of-centre sites, such as the Portrack Lane or the Preston Farm area, rather than this out-of-town location. As a consequence it is not considered this application satisfactorily addresses the planning policy concerns above and the proposal is considered to be contrary to the aims of policy CS5 of the Core Strategy and saved Policy S2 of the adopted Stockton on Tees Local Plan and national planning guidance in the form of PPS1: Delivering sustainable development and PPS4: Planning for sustainable economic growth.

Site sustainability;

32. In considering the sustainability of the site, it is also important to recognise that the located away from the main populated areas, close to the Strategic Road Network (A19/A66) and is largely served by the private car. It is considered that the site does not have particularly good access to other forms of transport and is therefore, not particularly well served by means of transport other than the car.

33. The applicant has suggested that this needs to be balanced against the existing established use for the site (Gymnasium, use class D2) and the potential for other D2 uses to operate on the site that would generate a significant number of trips, specific reference is made to Bingo Halls and Cinemas in this respect. It is therefore argued that although the site will be largely accessed by the private car, the restaurant uses (use class A3) are not in themselves destination draws and that this needs to be balanced against the fact the proposed scheme would result in an overall reduction in vehicle movements to the site. The applicant also points to a Thornaby Rail Station, a number of cycleways and an existing bus service (the 66/X66) and contrary to the above consider the site to be well served by alternative modes of transport. Furthermore, the applicant has also stated that they are willing to offer funding through a section 106 agreement to improvements to pedestrian/cycle crossing points to the site on the surrounding highway and to also the provision of a new Sunday bus service for the 66/X66 route for 5 years, all aimed at increasing the accessibility of the site.
34. Whilst the comments in relation to the permitted use of the site are noted and have been taken into consideration, it is not considered that a reduction in trip generation is sufficient to justify the site as sustainable. In view of the fact that the site is fairly isolated from the main residential areas and the busy highway network would be likely to discourage patrons from cycling or walking to the site. It is also noted that Thornaby Rail Station is approximately 2 km from the site and therefore it is considered extremely unlikely that people would walk from the station to Teesside Park or the application site. The unsustainable nature of the site is also backed up by a planning appeal decision where 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 Policy CS2
35. Consideration has been given to cycleways, pedestrian linkages, the offer to improve these and to also provide funding for an additional bus service on Sundays. Whilst these offers may go some way to addressing the unsustainable nature of the site, it is not considered that these measures would be sufficient to satisfactorily address the above concerns nor provide a sufficiently long term solution (in the form of funding for the bus service) to provide regular and effective alternatives to access the site from modes of transport other than the car. Given the above it therefore remains the Local Planning Authorities view that the site remains in an unsustainable location that is not well served by a choice of transport modes and is contrary to the aims of policy CS2

Regeneration Aspirations;

36. It is recognised that the proposed development has 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 physical appearance of the application site. These benefits must however, be weighed against the longer term and wider regeneration aspirations for the Borough and committed public expenditure.
37. 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) and the more recently produced Stockton Prospectus.

38. As a consequence the Council has set out a vision for Stockton Town Centre committing the Authority to £20 million worth of expenditure over the next few years (up to 2014) to help improve the physical environment and attract new investment into the Town Centre with the ultimate aim of improving the Town Centres vitality and viability. This investment is also alongside other schemes of public finance such as the 'SHiP' (Stockton Heritage in Partnership), which seeks to protect and enhance many of the heritage assets within the Town Centre and improve the overall quality of the environment.
39. These concerns are reflected in the Head of Regeneration and Economic Development comments, where it is outlined that they object to any new development outside of Stockton Town Centre that could be located within it, reference is also made to the Portas Review and recommendations. Whilst they acknowledge that the proposal would bring about much needed bed space, the provision of a hotel needs to be considered against the Council's plans for regenerating Stockton High Street, its commitment to spend £20m in improving the Town Centre and the plans to regenerate the adjacent North Shore area, Reference is also made to the Council's more immediate plans for introducing an evening economy into the northern part of the Town Centre (particularly in conjunction with the planned refurbishment of the Globe Theatre, due to open in 2013). It is considered that such opportunities will increase the viability of the refurbishment of the Swallow Hotel. To support this aspiration the Council commissioned the Stockton Town Centre Evening Economy Feasibility Study (July 2010) that carried out an assessment of the Town Centre, its evening economy and suggested a number of delivery plans that outline opportunities barriers and stimulate and help diversify the leisure/evening economy. The document highlighted the Strengths, Weaknesses, Opportunities and Threats (SWOT) of the evening economy and drew attention to weaknesses of Stockton Town Centre and its evening economy being that there is no restaurant/café culture and hotel/serviced accommodation.
40. Very real concerns remain, therefore that approval of further eating establishments and a hotel at Teesside Park would compromise the plans to regenerate the Town Centre and North Shore sites by further diluting the demand for such facilities, harm the potential to attract new businesses and hotel operators to the town centre and undermine the potential vibrancy and sustainability of the High Street economy particularly as family eating destination.
41. As highlighted earlier in the report the proposed development would bring about a significant investment into the Borough, create additional jobs, improve the physical environment and may result in additional spend in the local area. This is in addition to the additional bed spaces being created. Although the overall investment, boost to the local economy and creation of jobs is entirely welcomed new development in out of centre and out of town locations needs to be strictly controlled and managed so as not to dilute and undermine priority development areas and regeneration aspirations. In view of the wider regeneration aspirations and committed expenditure there remains serious concern over the impacts that such a development may have on attracting new/additional investment into priority regeneration areas and its impact on the value of the planned expenditure in Stockton Town Centre and that these concerns along with the above planning policy considerations are not outweighed by the benefits that the redevelopment of the scheme would bring.

Character of the area;

42. The application site is situated within an area where there is a wide range of food outlets, each with a differing visual appearance, often reflecting a corporate image. The buildings will be positioned around the western and southern edges of the site. The single storey restaurants will reflect those already present on the site, whilst the three-storey hotel is considered to be of

an acceptable scale given existing levels. Wider views from the A66 will also be restricted given the trunk road is set well below the site.

43. The proposal seeks permission for a series of modern and contemporary buildings that incorporate a variety of modern materials. The individual elements have a distinctive design that will knit together with the surrounding contemporary buildings and 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.
44. Whilst the proposed development is considered visually acceptable and 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;

45. The Council's landscape officers have considered the proposed development and note the very prominent position of the site. The principles of the landscape proposals submitted are considered to be acceptable, although full details would need to be submitted for approval, this could be controlled via a planning condition. It is also requested that off site landscaping works are provided and it is requested that these be secured through a Grampian planning condition or a section 106 agreement. Reference is also made to a section 278 agreement that would include associated costs, maintenance fees and appropriate access. Whilst the wording with regards to the s.278 agreement are noted, it is not possible to refer to other legislation as part of a planning condition and this should be dealt with by way of an informative, should the application be considered acceptable.
46. In view of the fact that an adequate landscaping scheme can be achieved on the site there is no landscape objection to the proposed development and the scheme is considered acceptable in this regard.

Amenity;

47. 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 restaurant and retail uses and will not cause significant harm to levels of amenity that are currently enjoyed. Equally the surrounding activities are considered unlikely to have such a detrimental impact on the amenity of the proposed development that would justify a refusal of the application on amenity grounds.

Access and Highway safety; -

48. 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). It remains their view that the proposed new development will attract less traffic at peak traffic periods than the original Spring's Development and that the existing junction arrangements can adequately deal with the expected traffic as a result of the development proposal.
49. 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 demonstrated through a car park accumulation survey that the 130 parking spaces are acceptable as residents of the hotel are likely to use the facilities of the pub and restaurant and hence shared trips occur. The site is located approximately one mile from Thornaby Railway Station, and it is considered unlikely that this mode of travel will serve the development for anyone other than the occasional hotel user, who is also likely to travel from the station by taxi.

Furthermore, details of discussions with the existing bus operator regarding an extension to evening operating times have not been verified by the bus operator.

50. Should members be minded to approve the application it is requested that the offers for funding to provide improved pedestrian linkages and to improve bus services on Sundays be secured through appropriate mechanisms and that relevant conditions be imposed such as refuse and recycling.
51. Given that neither the Head of Technical Services nor the Highways Agency have any objections to the proposed development it is not considered that the proposal will result in any significant harm to highway safety or the free flow of traffic.

Flood Risk;

52. Since the flood risk assessment was prepared the Environment Agency have updated their flood mapping in the area and the site is now shown to be in flood zone 1 (low risk) for fluvial and tidal flooding. Both the Environment Agency and the Head of Technical Services have considered the proposed development.
53. Whilst there is no objection to the proposed development on flood risk grounds, should the development be approved there would be the need to condition the requirement for the use of permeable surface materials and to control surface water run off.
54. The Environment Agency have also requested that should the application be approved then they would wish to see a planning condition for an oil interceptor to be installed to all vehicle parking areas, unless this is permeable or through existing the existing surface water sewer *and* this discharges to the foul sewer.

Residual issues;

55. It is noted that two letters have been received from residents outside of the Borough in support of the application. Whilst they may live outside of the Borough, the comments relate to the merits of the principle of development and/or the physical appearance of the site. Both these matters have been given the relevant weight and are set out in the report above.
56. The requirement to ensure that the development will provide 10% onsite renewable energy production technologies could also be controlled through a planning condition, should the proposal be considered acceptable by members.

CONCLUSION

57. 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 sufficiently outweighs the harm that could be caused to Stockton Town Centre or current regeneration initiatives.
58. The scheme will provide few opportunities for linked trips, which do not involve use of the private car and given the site's remote, out-of-town location residents of, or visitors to the Borough are unlikely to walk, cycle or use public transport to travel to the site. In view of these additional comments the reasons for refusal on planning policy and sustainability grounds remain.
59. 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 as there are no other material planning considerations that sufficiently outweigh the above planning policy concerns and considerations.

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 and Tracey Stott

IMPLICATIONS

Financial Implications.

Section 143 of the Localism Act as set out in report

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 and it is not considered the proposed development would be in conflict with this legislation.

Human Rights Implications.

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 will not contravene these human rights.

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
Planning Policy Guidance 13: Transport
Draft National Planning Policy Framework (NPPF)
Planning Applications 06/3648/FUL, 10/1533/FUL & 10/2762/REV