

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

3rd October 2012

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

12/2048/FUL

9-11 West Precinct, Billingham,

Public Realm improvements including provision of new seating, bollards, cycle stands, litter bins, lighting, CCTV and bandstand canopy. Demolition of existing Town Square toilet blocks (with replacement provision elsewhere) and two of four existing pedestrian bridges to Kingsway car park

Expiry Date 25 October 2012

SUMMARY

The application site covers the majority of Billingham Town Centre and includes area such as the link from Moreland Avenue, East precinct, the Town Square, Queensway and the Kingsway decked car park.

This application seeks planning permission for Public Realm improvements within Billingham Town Centre in line with the overall masterplan for the revamp of Billingham Town Centre. The proposal also includes the provision for the demolition of existing Town Square toilet blocks (with replacement provision currently being made within West Precinct) and the demolition of two of four existing pedestrian bridges linking the Town Centre to the Kingsway car park.

The proposed works are not considered to have any significant impacts on levels of amenity or pose any significant issues in terms of crime and disorder or Highway safety. The proposed changes to the public realm are considered to accord with planning policy and will result in a more attractive, organised and legible environment.

RECOMMENDATION

That planning application 12/2048/FUL be delegated to the Head of Planning for approval with the following conditions and informative(s), subject to no new issues being raised as part of the consultation process.

Approved Plans;

01 *The development hereby approved shall be in accordance with the following approved plan(s);*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>UDN3021-006</i>	<i>24 August 2012</i>
<i>UDN3021-007</i>	<i>24 August 2012</i>
<i>UDN3021-008</i>	<i>24 August 2012</i>
<i>UDN3021-009</i>	<i>24 August 2012</i>

UDN3021-010	24 August 2012
UDN3021-011 A	24 August 2012
UDN3021-013	24 August 2012
UDN2031-012	24 August 2012
UDN2031-002	24 August 2012
UDN2031-003	24 August 2012
UDN_3021_004 C	24 August 2012
UDN_3021_005	24 August 2012

Reason: To define the consent.

Hard Landscaping:

- 02 Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape material/works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (eg public art and street furniture).**

Reason: In the interests of visual amenity.

Construction/demolition Activity:

- 03 No construction/demolition activity or deliveries shall take place on the site outside the hours of 8.00 am - 6.00 pm Monday to Friday, 8.00 am – 1 pm Saturday and nor at any time on Sunday's or Bank Holiday's.**

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

Construction Management Plan:

- 04 Notwithstanding any details submitted as part of the application a construction management plan detailing; construction vehicle access; the location of workers parking allocation; location of compounds and storage of materials; and the protection of the highway and highway users during demolition of the foot bridges shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. All works shall be carried out in full accordance with the agreed management plan, thereafter.**

Reason; In the interests of pedestrian and highway safety.

INFORMATIVES;

Summary Reasons and Policies

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 more attractive, organised and legible environment and will not have any significant impacts on levels of amenity or pose any significant harm in terms of crime and disorder or Highway safety. It is also considered that there are no other material considerations which indicate a decision should be otherwise.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change
 Core Strategy Policy 5 (CS5) - Town Centres
 National Planning Policy Framework

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework

BACKGROUND

1. In 2007 Stockland purchased Billingham Town Centre from the Council. Since this time they have liaised with retailers, the Council and local residents to develop a long term regeneration strategy resulting in an overall Masterplan for the District Centre which was approved by the Council in April 2010. More recently a public consultation event regarding proposals for the public realm works was carried out along with other stakeholders such as the Northern Area Partnership and Billingham Town Council (July/August 2012).

SITE AND SURROUNDINGS

2. The application site covers the majority of Billingham Town Centre and includes area such as the link from Moreland Avenue, East precinct, the Town Square, Queensway and the Kingsway decked car park.

PROPOSAL

3. This application seeks planning permission for Public Realm improvements within Billingham Town Centre. These works will include elements such as the provision of new seating, bollards, cycle stands, litter bins, lighting, CCTV and a bandstand canopy. These works are in line with the overall masterplan for the revamp of Billingham Town Centres public realm improvements which also includes elements that do not require planning permission such as new paving materials, tree planting and other minor landscaping works.
4. The proposal also includes the provision for the demolition of existing Town Square toilet blocks (with replacement provision currently being made within West Precinct) and the demolition of two of four existing pedestrian bridges linking the Town Centre to the Kingsway car park.

CONSULTATIONS

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

Head of Technical Services

I refer to your memo dated: 5/09/12

General Summary

Technical services support the application but additional information is requested as detailed in the comments below.

Highways Comments

The area of proposed works is not adopted highway; there are no highway objections.

The 2 pedestrian bridges which are to be demolished as part of this scheme pass over the adopted highway therefore details of how the highway and highway users are to be protected during these works should be provided.

Landscape & Visual Comments

The reserved matters application forms part of the wider regeneration for the central Billingham area and complies with the approved Master plan.

The proposals are for the renewal of paved surfaces, street lighting, CCTV and street furniture to improve the public realm of the existing West Precinct shopping area of Billingham.

It is understood that the redundant play area will not be renewed with local play policy now directed to John Whitehead Park.

Conditions must be provided for a Construction Management Plan which shall include details of construction vehicle access, workers parking allocation, compounds and storage of materials, and a condition on the timing of the works.

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.

Demolition Noise

All demolition operations including delivery of materials/ machinery on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

Local Ward Councillors

No comments received

Billingham Town Council

No comments received

Regeneration and Economic Development

R&ED support the application as the first major phase of works as part of the redevelopment proposals for Billingham Town Centre. It is our view that the proposals within the application will support the redevelopment and regeneration of Billingham Town Centre and will serve to improve the economic performance of Billingham Town Centre.

PUBLICITY

6. Neighbours were notified and a site notice has been displayed within Billingham Town Centre, the period for public response expires on the 4th October 2012. To date no objections or comments have been received to the proposed public realm improvements.

PLANNING POLICY

7. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

8. 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.

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

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

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.

Core Strategy Policy 5 (CS5) - Town Centres

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

- i) Thornaby centre
- ii) Billingham centre

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

National Planning Policy Framework

10. Paragraph 14. At the heart of the National Planning Policy Framework (NPPF) is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.....

For decision-taking this means:

approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or-
- specific policies in this Framework indicate development should be restricted.

The relevant sections of the NPPF include;

- Section 2. Ensuring the vitality of town centres
- Section 7. Requiring good design
- Section 8. Promoting healthy communities

MATERIAL PLANNING CONSIDERATIONS

11. The main planning considerations of this application are compliance with planning policies, visual impact, amenity, crime and disorder and access and highway safety.

Principle of development;

12. National planning guidance set out with the NPPF requires that local planning authorities should recognise town centres at the heart of their communities and pursue policies to support their viability and vitality. Paragraphs 57 and 70 specifically encourage that development; is of a high quality and creates inclusive design for all, thereby establishing a strong sense of place and creating attractive and comfortable places to live, work and visit; creates safe and

accessible environments; and, ensure that social, recreational and cultural facilities and services the community needs.

13. Policy CS3(8) of the Core Strategy requires that new development makes a positive contribution to the local area including through the provision of high quality public open space and that it is designed with safety in mind, incorporating Secure by Design as appropriate. Furthermore policy CS5(3) of the Core Strategy specifically supports regeneration initiatives within Billingham Town Centre.
14. The proposed Public Realm improvements within Billingham Town Centre are therefore considered acceptable in principle and are strongly in line with the aims of both local and national planning guidance, subject to the material planning considerations outlined below.

Visual impact;

15. At present the public realm within Billingham Town Centre has a tired and dated appearance. The proposed works would bring about a fresh, modern approach to the Town Centres public realm, through the use of contrasting paving materials, new planting, lighting and seating areas. The demolition of the existing toilet blocks, the in-filling of the sunken seating areas and the removal of several raised planting beds would also result in a more organised and navigable space improving accessibility and the legibility of the centres environment.
16. The proposed works are considered to be visually acceptable and will improve and enhance not only the appearance of the Town Centre but also add to the overall visitor experience and is in accordance with the aims of policies CS3(8), CS5(3) and guidance within the National Planning Policy Framework.

Amenity;

17. Given the commercial nature of Billingham Town Centre it is not considered that the proposed works would have any significant long term impacts on the amenity of neighbouring occupiers and residents. However, given it is likely that there will be a degree of noise and disturbance during construction, it is considered reasonable to impose a planning condition to prevent any construction and demolition works from occurring at unsociable hours.

Reducing crime and disorder;

18. Section 17 of the Crime and Disorder Act 1998 places a duty on the Council to deliver safer, more secure communities and places a duty on them to do all they can to reasonably prevent crime, disorder and anti-social behaviour in their area. Secured by Design requires that community safety is a central part of the design process the guiding principles encourage well designed, attractive, clearly defined and well maintained developments so that a sense of shared ownership and responsibility is created. Natural surveillance is also a cornerstone in the achievement of community safety as it can assist in discouraging criminal activity, as is the need to provide adequate access to meet functional and recreational needs of any proposal.
19. Much of the layout of Billingham Town Centre already exists and therefore there are limited opportunities to introduce drastic changes to its layout. The proposed changes will help to improve the physical environment and provide well designed and attractive spaces with clearly defined access routes. Natural surveillance will continue to be provided through existing commercial premises and patrons visiting the Town Centre, while new CCTV cameras will also further help to deter crime and disorder. It is therefore considered that the proposed development is in accordance with the principles set out within Section 17 of the Crime and Disorder Act and Secured by Design and satisfies the relevant planning guidance.

Access and Highway safety;

20. The Head of Technical Services has no objections to the proposed development. Comments are made with reference to the demolition of the 2 pedestrian bridges and the need to

understand how the highway and highway users are to be protected during these works, a condition is recommended accordingly.

CONCLUSION

21. The proposed changes to Billingham Town Centres public realm are considered to accord with planning policy and will result in a more attractive, organised and legible environment. The proposed works are not considered to have any significant impacts on levels of amenity or pose any significant issues in terms of crime and disorder or Highway safety. The proposed development is therefore recommended to be delegated to the Head of Planning for approval subject to the above conditions and informatives and to the consideration of any representations which may arise from the site notice consultation period .

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

WARD AND WARD COUNCILLORS

**Ward Billingham Central
Ward Councillor Councillor B Woodhouse & Ann McCoy**

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 not 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
National Planning Policy Framework (NPPF)