

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**3 OCTOBER 2012**

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

**12/1893/FUL**

**9-11 West Precinct, Billingham,**

**Change of use from A1 to A4 of existing Units Nos. 9-21, provision of external seating areas through works to public realm and the creation of a new retail (A1) unit within the West Precinct**

**Expiry Date 15 October 2012**

**SUMMARY**

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. Within the agreed masterplan, phase 1 showed the West Precinct being amalgamated to form a single unit with the intention of this being operated as a new food store.

Though attempts have been made to attract operators for a new food store, no occupier was found leading to a change in strategy on attracting new retailers and operators who will enhance the centre and its offer. This resulted in the submission of a planning application (ref; 12/0323/FUL) for a change of use of the units from A1 to A4 and the creation of a new retail which was approved by Members earlier this year.

The application site is situated within Billingham Town Centre and forms the western edge of the main pedestrian shopping street and also provides access to Kingsway and Queensway house above. Access is also provided to Dawson House and the Library through the West Precinct.

This application again seek permission for the change of use of units within the West Precinct from A1 use (retail) to A4 use (drinking establishment), with external seating area and also for the creation of a new retail unit.

The proposal differs from the previous submission in that the proposed change of use to the A4 use will now include the amalgamation of units 9-21 of the West Precinct creating 815 sq m of floor space (increased from 672 sq m). Some external changes are also proposed will some additional windows included. The proposed new retail unit remains unaltered with the exception of an increased service corridor and creates a net retail area of 315 sq m. The store itself will measure approximately 12m (w) x 30m (l) infilling an area within the existing ground floor of the West Precinct.

It is considered that the proposed change of use and new retail unit will not have a detrimental impact on vitality and viability of Billingham Town Centre; that the external changes to the scheme are acceptable and should help to improve on the current visual appearance of the units; the

proposal will not pose any significant harm to the amenity of neighbouring occupiers; or pose any significant risks to highway or public safety.

## **RECOMMENDATION**

**That planning application 12/1893/FUL be delegated to the Head of Planning for approval subject to the following conditions and informatives and to the consideration of any representations which may arise from the site notice consultation period;**

### **Approved plans;**

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

<b>Plan Reference Number</b>	<b>Date on Plan</b>
<b>F1638-P-01</b>	<b>10 August 2012</b>
<b>F1638-P-02 REV A</b>	<b>17 September 2012</b>
<b>F1638-P-04 REV B</b>	<b>17 September 2012</b>
<b>F1638-P-10</b>	<b>10 August 2012</b>
<b>150-000 REV 02</b>	<b>10 August 2012</b>
<b>F1638-P-03</b>	<b>10 August 2012</b>
<b>F1638-P-05</b>	<b>10 August 2012</b>
<b>F1638-P-06</b>	<b>20 August 2012</b>

**Reason: To define the consent.**

**02 Materials;**

**Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls of the buildings.**

**Reason: To enable the Local Planning Authority to control details of the proposed development.**

**03 Fume extraction;**

**Before development commences details of a ventilation and fume extraction system in accordance with the details to be submitted and agreed in writing with the Local Planning Authority for approval. Such details shall include a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment which shall be installed and used at the premises. The agreed extraction system shall be installed before the development is brought into use and be in full accordance with the agreed details. Thereafter the extraction system shall be retained in full accordance with the approved detail and shall be operated and maintained in accordance with the manufacturer's recommendations, including the frequency of replacement of any filters.**

**Reason: To ensure a satisfactory form of development.**

**Fat/Grease Trap;**

**04 Prior to the commencement of the use hereby permitted, details of a fat/grease trap to be installed in the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved details, and thereafter retained.**

**Reason: To ensure a satisfactory form of development.**

**Outdoor Seating Area;**

- 05 **Food and drink shall not be consumed in the external seating/ smoking area after 23:00. There shall be no music played in the external seating/smoking area, and no use of lighting likely to cause a nuisance to adjacent premises. Doors to the external area shall be fitted with a lobby and or self-closing devices to prevent the ingress of smoke and egress of noise. The sides of any shelters used for smoking shall be maintained so as not to be enclosed or substantially enclosed.**

**Reason: To enable the Local Planning Authority to retain control over the development**

**INFORMATIVE OF REASON FOR PLANNING APPROVAL**

**Summary reasons and General Policy Conformity:**

*The introduction of an A4 use and creation of a new retail unit is considered to be acceptable in principle and will not adversely affect the vitality or viability of Billingham Town Centre. The proposed development does not harm the character of the area, the amenity of neighbouring occupiers and is not considered to pose a significant risk to highway safety or public safety. The development has been considered against the policies below and it is considered that there are no other material considerations that indicate a decision should be otherwise.*

*Core Strategy;*

*CS2 - Sustainable Transport and Travel*

*CS3 - Sustainable Living and Climate Change,*

*CS5 - Town Centres, Policy*

*Local Plan Alteration No.1;*

*Policy S7 - Development and change of use within Thornaby and Billingham district centres*

*Policy S14 - Use classes A3, A4 and A5 'food and drink'.*

*Local Plan;*

*EN39 - Existing Hazardous development*

*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. Within the agreed masterplan, phase 1 showed the West Precinct being amalgamated to form a single unit with the intention of this being operated as a new food store.
2. Though attempts have been made to attract operators for a new food store, no occupier was found leading to a change in strategy on attracting new retailers and operators who will enhance the centre and its offer. This led to an application (ref; 12/0323/FUL) for a change of use of the units from A1 to A4 and the creation of a new retail being made and approved by members earlier this year.

### **SITE AND SURROUNDINGS**

3. The application site is situated within Billingham Town Centre and forms the western edge of the main pedestrian shopping street and also provides access to Kingsway and Queensway house above. Access is also provided to Dawson House and the Library through the West Precinct.
4. To the east of the site lies a former children's play area with a circular access ramp to the upper floor units within the Town Centre. A number of vacant retail units are situated immediately to the west (within West Precinct) whilst the Boyes store will lie opposite (also within West Precinct). A variety of commercial and retail units also lie within close proximity to the application site.

### **PROPOSAL**

5. This application again seek permission for the change of use of units within the West Precinct from A1 use (retail) to A4 use (drinking establishment), with external seating areas and also for the creation of a new retail unit within the West Precinct. The submitted planning statement sets out that proposed occupiers are Wetherspoon's and Fulton Foods (freezer food chain).
6. The proposal differs from the previous submission in that the proposed change of use to the A4 use will now include the amalgamation of units 9-21 of the West Precinct creating 815 sq m of floor space (increased from 672 sq m). Some external changes are also proposed will some additional windows included. The proposed new retail unit remains unaltered with the exception of an increased service corridor and creates a net retail area of 315 sq m. The store itself will measure approximately 12m (w) x 30m (l) infilling an area within the existing ground floor of the West Precinct.
7. The application also proposes some external changes, most notably the removal of the three covered, blue steel arches and new glazing above the A4 unit at first floor level.

### **CONSULTATIONS**

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

#### **Local Ward Councillors**

No comments received

#### **Stockton Police Station - Eddie Lincoln**

Secured By Design supports the aims of the national Alcohol Harm Reduction Strategy and the government ODPM strategy in respects of Urban Renaissance. It seeks to build on the knowledge base established in the ODPM publication 'Good Practice in Managing the Evening and Late Night Economy' and to complement the implementation of the Licensing Act 2003.

The primary objective is to reduce opportunities for crime and anti-social behaviour both in and around licensed premises, and in so doing enhance the safety of both customers and staff and the security of the building and facilities. It is emphasised that this guidance seeks to address the design and refurbishment of such premises only and does not address issues around subsequent management of such premises. Responsible management, however, is crucial to delivering a safe environment in and around licensed premises and applicants for the Secured By Design award are actively encouraged to seek guidance from both Police and local authorities and join/form local partnerships aimed at reducing opportunities for crime and anti-social behaviour.

There is general acceptance that the design of buildings and their surroundings are major factors affecting crime and, in particular, alcohol related disorder. It is recognised that certain elements in the design of licensed premises can promote or dissuade criminal behaviour at or near premises and also assist the ability of a licensee to exercise control over their premises. 'Designing out crime' principles seek to reduce or eliminate risks through the design or redesign of a licensed premises and the immediate surrounding area. Good design can make a major contribution to both the prevention of crime and the reduction of fear of crime and must be the aim of all those involved in the development process. Secured by Design (SBD) aims to achieve security for the building shell and to introduce appropriate internal and external design features that facilitate natural surveillance and create a sense of ownership and responsibility, in order to deter criminal and anti-social behaviour within the curtilage of the business. Incorporating reasonable and realistic security measures during the design, build or refurbishment combined with good management practices, indisputably reduces levels of crime, fear of crime and disorder.

The aim of the police service is to assist in the design process to achieve a safe and secure environment for customers and staff, without creating a 'fortress environment'. Experience shows that including security measures at the design stage to address anticipated and predictable problems resulting from usage are both cost effective and more aesthetically pleasing than retrofit solutions.

**Billingham Town Council**

No comments received

**Head of Technical Services**

I refer to your memo dated: 30/08/12 Technical Services have no objections on highway or landscape grounds

**Environmental Health Unit**

My original comments made on the application 12/0323/FUL would apply to this application also.

**Regeneration and Economic Development**

R&ED support the proposals within the application as they will serve to expand the retail and leisure offer within Billingham Town Centre adding to vibrancy and activity in the centre which supports the overall aims of wider redevelopment and regeneration proposals in Billingham

**Health and Safety Executive**

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

**PUBLICITY**

9. Neighbours were notified and a site notice has been displayed adjacent to the site within Billingham Town Centre, which expires on the 4<sup>th</sup> October 2012. To date no objections or comments have been received to the proposed development.

**PLANNING POLICY**

10. 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.

11. 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
12. 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.

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**

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.

**Saved Policy S7**

Proposals for change of use from retail (Use Class A1) within the defined boundaries of Billingham and Thornaby District Centres identified on the Proposals Map will be resisted, unless it can be demonstrated that : -

- i) The character, vitality and viability of the Centre will not be adversely affected; and
- ii) It is appropriate in scale and function to the Centre;
- iii) The proposal will not result in a continuous group of more than four units of Use Class A3, A4 and A5 (restaurants, bars and hot food takeaways)

### **Saved Policy S13**

Sites for major retail development are allocated at the following locations within the Town Centre and District Centres as listed in Policy S1:-

- i) Billingham Centre, for mixed use development
- ii) Thornaby Centre, for mixed use development
- iii) East of The Square and south of Church Road, Stockton, for mixed use development.

The following site is allocated for small-scale retail development immediately adjoining Thornaby District Centre:-

- iv) Land at Allensway, Thornaby, for mixed use development, providing it cannot be accommodated in the adjoining District Centre and would not undermine its vitality and viability, or put at risk the redevelopment and regeneration strategy for the District Centre, which is needed to safeguard its vitality and viability. Proposals with a dominant food retail content will not be acceptable.

In association with other agencies and authorities, the Council will prepare a series of detailed strategies or action area plans for Stockton Town Centre and the area of the River Tees corridor beyond the defined Town Centre boundary.

### **Saved Policy S14**

Proposals for Use Class A3, A4 and A5 'Food and Drink' development will be permitted in the defined retail Centres listed in Policy S1, where the proposal is in accordance with the following retail locational policies:-

- 1) Within the Defined Stockton Town Centre, subject to Policies S4, S5 and S6;
- 2) Within the defined District Centres except Yarm, subject to Policy S7;
- 3) Within the defined Yarm District Centre, subject to Policies S8 and S10;
- 4) Within the defined Local and Neighbourhood Centres, subject to Policies S12 and S13;
- 5) Outside of the defined retail Centres, proposals for A3, A4 and A5 uses will only be permitted if there are no suitable units available within the defined Centres, or there are justified exceptional circumstances that necessitate such a location.

Proposals for all Use Class A3, A4 and A5 uses will be considered against the following criteria:-

- i) the level of traffic generated and the provision of parking facilities, both in terms of highway engineering considerations and the general amenity of the area;
- ii) any adverse impact of proposals on residential amenity in terms of smell, noise, litter fumes and disturbance;
- iii) the provision of adequate and effective fume extraction and filtration equipment;
- iv) the provision of facilities for litter within and adjoining the premises;
- v) the secure provision for trade waste, stored in an out of sight location;
- vi) where appropriate, conditions limiting the late night opening may be applied.

### **Saved Policy EN39**

The expansion of existing industrial or commercial undertakings in the vicinity of hazardous installations will normally be permitted if it can be shown that additional people and buildings will not be placed at unacceptable risk because of the proximity of the installation.

### **National Planning Policy Framework**

13. Paragraph 14. At the heart of the National Planning Policy Framework 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 1. Building a strong, competitive economy  
Section 2. Ensuring the vitality of town centres  
Section 7. Requiring good design

## **MATERIAL PLANNING CONSIDERATIONS**

14. The main planning considerations of this application are compliance with planning policy, the impact of the development on the character of the area, the amenity of neighbouring occupiers, highway safety, public safety and crime and disorder.

### **Principle of development;**

15. The National Planning Policy Framework (NPPF) sets out the Government's aims for encouraging and achieving sustainable development. It sets out that the Government is committed to securing economic growth in order to create jobs and prosperity. In respect of Town centres it sets out that Authorities should recognise town centres as the heart of their communities, promote their viability and vitality and promote competitive town centres that provide customer choice and a diverse retail offer. Paragraph 56 attaches great importance to design and states that design is a key aspect of sustainable development and should contribute positively to making places better for people.
16. The application site lies within the boundaries of the defined Billingham District Centre, Policy CS5 of the Core Strategy reaffirms Billingham's role as a District Centre and encourages priority being given to regeneration initiatives within it. Although this proposal is not a major development, the District Centre is allocated for a major retail led mixed-use development under saved policy S13 (i) of Local Plan Alteration Number 1. Furthermore, saved policy S7 of the Local Plan Alteration deals with changes of use within Billingham District Centre. It sets out that proposals for a change of use from retail (A1) will be resisted, unless the character, vitality and viability of the Centre will not be adversely affected; they are appropriate in scale and function; and will not result in a continuous group of more than four units of Use Class A3, A4 and A5. Saved policy S14 of the Local Plan Alteration also deals specifically with 'food and drink' uses. It states that these uses will be permitted within District Centres (excluding Yarm) subject to the requirements of policy S7 and also sets out a number of criteria including traffic, amenity and waste.
17. In considering the proposed development, the creation of the new retail unit is of an appropriate size and accords with the aims of Core Strategy Policy CS5, the NPPF and the principles for the ongoing redevelopment of Billingham Town Centre. Whilst it is recognised that although 815 sq m of retail floor space would be lost through the amalgamation and change of use of the existing units, this would be off set by the creation of the new retail unit, which provides 384 sq m, giving a net reduction in retail floor space of 500 sq m. In the context of the overall centre, this reduction in retail floor space is not viewed as being significant, particularly given the level of retail uses within the centre. As a consequence it is not considered to harm Billingham's retail character, function or the overall vitality and viability of the centre.
18. The scale of the proposed drinking establishment is considered to be appropriate with the scale and function of Billingham Town Centre and would create an additional leisure facility, adding to the overall offer of the centre, creating a greater mix of units and may help to create a more vibrant centre through encouraging more people to visit the Town Centre and/or increasing the length of stay or 'dwell time' within it. Such a use is also likely to add to the 'evening economy'



and may encourage linked trips with other leisure uses such as Billingham Forum/theatre/ice rink. As the change of use is not considered to alter the retail character of function of Billingham Town Centre and would not result in a continuous group of more than four units of Use Class A3, A4 and A5 use, the proposal is considered in this instance to accordance with the aims of Policy S7.

19. In view of the above and the fact that the proposed development is of an appropriate scale for a Billingham District Centre, the proposal is considered to accord with the principles of National Planning policy Framework, CS5 of the core strategy and saved policies S7 and S14 of the Local Plan Alteration. The scheme is therefore not considered to have a detrimental impact on the retail character, or vitality and viability of Billingham Town Centre and the principle of the proposed development is acceptable, subject to the material planning considerations set out in the report below

**Character of area;**

20. The application site is situated at the western edge of Billingham Town Centre, which incorporates a wide range of building styles and sizes, although there remains a predominately 1960's style though much of the centre. The external changes to the existing west precinct building will include new glazing and the removal of the existing steel arches. While the new retail unit would mean the enclosure of some of the West Precinct. The general arrangements of the frontages of both units are considered acceptable and appropriate for the surrounding area and should help to improve the overall appearance of this area of the Town Centre.
21. While the proposal would result in the loss of the steel arches outside of the West Precinct, which are a unique feature, there appearance is dated and on balance it is not considered they are of such merit to justify there retention. It is also acknowledged that some public realm would be lost through the creation of external seating areas, in particular the former playground area, which has had the play equipment removed. As a result it is not well used and following a review of child play strategies all play equipment and facilities are to be provided within John Whitehead Park.
22. Previously a planning condition was imposed to require details of hard landscaping materials for the external seating area, however following submission of details for public realm improvements, it is evident that this external seating area is included within these works, and it is no longer deemed necessary to re-impose the planning condition.
23. On balance the proposed development is therefore considered to be visually acceptable, accords with policy CS3 and will not have an adverse impact on the character of the area so as to justify a refusal of the application.

**Amenity;**

24. The application site lies within Billingham Town Centre where there are a range of commercial and leisure uses. A series of residential properties (either occupied or with an established use) towards the periphery of the Town Centre and include Roseberry flats to the north and Dawson House to the west. Although the proposed A4 use and outdoor seating area are considered as a potential noise source, it is noted that the there is a separation distance of approx 70m to Roseberry flats and approx 80m to Dawson House. As a result It is considered necessary to ensure levels of residential amenity are protected and that as a consequence the control of opening hours to the outdoor seating area will be required. It is also noted that other residential properties are in excess of 100m from the proposed drinking establishment and the highway and various structures/buildings occupying the intervening area would further limit potential noise and disturbance. Given that it is likely the proposed drinking establishment will serve hot/cold foods it is also considered necessary to require details for fume extraction/ventilation and a grease trap are submitted and approved prior to installation. In view of the above it is

considered that adequate controls can be imposed to ensure acceptable levels of amenity and as a result the scheme will accord with the criteria set out in policy S14

25. The proposed new retail unit reflects the primary use of Billingham Town Centre. Within the immediate locality there are many retail premises and it is considered that there will be no significant impacts on noise or general amenity levels for any surrounding occupiers over and above those current experienced.

**Access and Highway Safety;**

26. The Head of Technical Services has considered the proposed development and has no objections to the proposed development and it is not considered there are any significant highway safety risks.

**Public Safety;**

27. The Health and Safety Executive have confirmed through the PADHI+ consultation tool that that they have no objections to the granting of planning permission on public safety grounds. The proposal is therefore not considered to pose any significant risk to public safety and is in accordance with saved policy EN39 of the Local Plan.

**Crime and Disorder;**

28. 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.

29. The Police's Architectural Liaison Officer has considered the application. No objections to the development have been raised although general comments with regards to secured by design are detailed. The use of glazing within the front elevation will facilitate natural surveillance to the external seating area although responsible management will be crucial in delivering a safe environment in and around the licensed premises Furthermore, it is not uncommon for drinking establishments to be located within Town Centres and in many cases these are known to be perfectly compatible with surrounding retail uses. There is no evidence to suggest that this proposal will result in a direct increase in Anti-Social Behaviour and any unruly behaviour would be an issue for the management of the establishment and if necessary the Police.

**Residual Issues;**

30. Environmental Health Unit raised a number of points during the previous application with reference to there being dedicated sheltered smoking areas and potential safety issues through patrons using/ accessing the premises due to the steps at the front of the proposal. Whilst these issues are duly noted, they fall outside of the planning remit and would be covered separately under licensing or the 'smoke free' legislation. Several planning conditions previously requested have also been recommended with respect of fume extraction, fat/grease trap and control of the outdoor seating area.

**CONCLUSION**

31. In view of the above material planning considerations it is considered that the proposed change of use and new retail unit will not have a detrimental impact on vitality and viability of Billingham Town Centre and are acceptable in planning policy terms. The external changes to the scheme are considered acceptable and should help to improve on the current visual appearance of the units. The proposal is also not considered to pose any significant harm to the amenity of neighbouring occupiers, or pose any significant risks to highway or public safety.

32. However, as a result of the period of public consultation from the display of the site notice not having expired, it is recommended that the application be delegated to the Head of Planning with the recommendation that Members are minded to approve the application subject to the above conditions and informatives and to the consideration of any new 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**

<b>Ward</b>	<b>Billingham Central</b>
<b>Ward Councillor</b>	<b>Councillor B Woodhouse and Ann McCoy</b>

**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  
Draft National Planning Policy Framework (NPPF)  
Planning Application; 12/0323/FUL