

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

16 JANUARY 2013

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

12/2500/FUL

Billingham Community Centre Car Park, The Causeway, Billingham

Construction of an extra care housing development comprising fifty-two, two bedroom and four, one bedroom apartments with communal and support facilities, external landscaping and parking.

Expiry Date 28 January 2013

SUMMARY

A need for additional Extra Care Housing provision within the Billingham area was originally identified as part of the larger Billingham Integrated Health and Social Care project. Unfortunately the Council was unsuccessful in gaining the required PFI credits; however, Vela homes have been successful in securing £1.2 million from the Homes and Communities Agency (HCA) for extra care housing making such a scheme financially viable once more.

The application site is situated on the corner of Roseberry Road and the Causeway and is currently utilised as a public car park with a wide grass verge between both road frontages with Billingham community centre lying to the north east of the site.

Planning permission is sought for the construction of a 56 apartment extra care housing development with communal and support facilities, external landscaping and parking. The development will provide fifty-two, two bedroom and four, one bedroom apartments along with ancillary space for a café/dining area (c.124 sq m) & hairdressers (c. 20 sq m) over 2,3 & 4 storeys. The proposed development would use the existing access from The Causeway that serves the existing car park and community centre.

The site is considered to be both sustainable and suitable for a development of this nature and would provide extra care housing within the Billingham area. Although the proposed building is large in scale, its design is considered appropriate and visually acceptable. It is not considered that the scheme will result in any significant detrimental impacts on residential amenity or pose any significant harm to highway or public safety.

RECOMMENDATION

That planning application 12/2500/FUL be approved subject to the following conditions and informative(s)

Approved Plans;

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

Plan Reference Number	Date on Plan
SK100-1	19 October 2012
SBC0001	19 October 2012
SK-101	25 October 2012
SK-102	25 October 2012
SK-103	25 October 2012
SK-104	25 October 2012
SK-105-1	19 October 2012
SK110	19 October 2012
SK106	25 October 2012
L-02	19 October 2012

Reason: To define the consent.

Materials:

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

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

Means of enclosure:

- 03 All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be first agreed with the Local Planning Authority before the development is occupied. Such means of enclosure as agreed shall be erected before the development hereby approved is first occupied and shall be retained for the life of the development.

Reason: In the interests of the visual amenities of the locality.

Site and floor levels:

- 04 Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Reason: To define the consent

Soft landscaping works:

- 05 A detailed scheme for landscaping and tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is occupied. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

- Landscape Maintenance:**
06 Prior to occupation of the hereby approved development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and be carried out in accordance with the approved schedule.

Reason: In the interests of amenity and the maintenance of landscaping features on the site.

- Hard landscape details:**
07 Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape 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 car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (e.g. incidental buildings and street furniture).

Reason: In the interests of visual amenity.

- Noise protection – Road traffic:**
08 Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

Reason; To protect the amenity of the occupants of the dwellings from excessive road noise

- External lighting:**
09 Details of all external lighting of the building and car park area, including the siting, colour and luminance shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. Before the use commences, such lighting shall be shielded and aligned to avoid the spread of light in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and thereafter such lighting shall be maintained to the same specification and adjusted, when necessary, to the satisfaction of the Local Planning Authority.

Reason: To avoid light pollution in the interests of the visual amenities of the area

- Disabled bays and pedestrian route:**
10 Notwithstanding any details submitted as part of this application, details of 3 disabled bays and a safe pedestrian route from the parking area to the rear entrance shall be submitted to and be approved in writing by the Local Planning Authority. The parking bays and pedestrian route shall be implemented in accordance with the agreed details and be retained for the life of the development.

Reason; In the interests of pedestrian safety and to ensure adequate disabled parking provision for the development.

- Replacement car parking provision:**
- 11 Prior to the commencement of the hereby approved development details of temporary alternative car parking arrangement shall be submitted to and approved in writing by the Local Planning Authority. The agreed arrangement shall remain in place until such a time the permanent replacement car parking provision becomes operational.
- Reason: In the interests of highway safety, the free flow of traffic and to ensure adequate public parking provision in the locality.
- Cycle parking**
- 12 Prior to commencement of the development hereby permitted, details of all cycle parking provision (including secure covered cycle storage for staff) shall be submitted in writing to the Local Planning Authority for consideration and approval. The approved scheme shall be implemented in full and those facilities available for use of the hereby approved extension.
- Reason: To ensure the provision of facilities to enable the use of sustainable forms of transport.
- Servicing, refuse and recycling:**
- 13 Notwithstanding the details submitted as part of the application and prior to the occupation of the development, details of the servicing arrangements, refuse and recycling facilities and on-going management shall be submitted to and approved in writing by the Local Planning Authority and be implemented in accordance with these agreed details.
- Reason: In order that the Local Planning Authority may exercise further control in the interests of the visual amenity of the area and amenity of adjoining and future occupiers.
- Construction Activity:**
- 14 No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00 a.m. on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).
- Reason; To avoid excessive noise and disturbance to the occupiers of nearby premises.
- Unexpected land contamination:**
- 15 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.
- Reason: To ensure proper restoration of the site.
- Renewable energy production and Sustainable construction:**
- 16 Details of a final scheme for the incorporation of renewable energy production technologies and sustainable construction methods to meet BREEAM assessment criteria and 10% of the buildings energy requirements, in accordance with the recommendations of the submitted 'low and zero carbon technology feasibility study' shall be submitted to and agreed in writing by the Local Planning Authority

prior to occupation. The building shall be constructed in accordance with these agreed details.

Reason: To limit the energy requirements of the development in accordance with government guidance within the NPPF on climate change.

Site Waste management Plans;

- 17 Within one month of commencement of the development, a site waste management plan shall be submitted to and approved in writing by the Local Planning Authority. The site waste management plan shall be prepared in accordance with Non-statutory guidance for site waste management plans April 2008 [DEFRA]. Thereafter, the site waste management plan shall be updated and implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a sustainable form of development and to accord with guidance contained within Stockton on Tees Core Strategy Policy 3 (CS3) – Sustainable Living and Climate Change

INFORMATIVE OF REASON FOR PLANNING APPROVAL

General Policy Conformity;

The proposed development has been considered against the policies below and it is considered that the site is a sustainable location, is visually acceptable, does not adversely effect the amenity of neighbouring occupiers, pose a significant risk to highway safety. public safety or the vitality and viability of the defined retail centres, and there are no other material considerations that indicate a decision should be otherwise.

Core strategy policies;

CS2 - Sustainable Transport and Travel
CS3 - Sustainable Living and Climate Change
CS5 - Town Centres
CS8 - Housing Mix and Affordable Housing Provision
CS11 - Planning Obligations

Saved Local plan policies;

Policy HO3 – Development on unallocated sites
Policy EN38 – Residential developments near to hazardous installations

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

BACKGROUND

1. A need for additional Extra Care Housing provision within the Billingham area was originally identified as part of the larger Integrated Health and Social Care project. Unfortunately the Council was unsuccessful in gaining the required PFI credits, which in addition to the Integrated Health Facility would have included the development of a 50 unit two-bedroom Extra Care scheme. At that time this exercise looked at a number of sites across Billingham including the application site, which was deemed suitable for a number of reasons including its proximity to local amenities and bus routes. Although the Authority was unsuccessful in gaining the required funding, Vela homes have been successful in securing £1.2 million from the Homes and Communities Agency (HCA) for extra care housing making such a scheme financially

viable. Although a development brief for an extra care building on this site was produced several years ago, it was not formally adopted and carries no weight in the determination process.

2. Members may also wish to note that a separate planning application for a replacement public car park with associated landscaping has been submitted and is currently pending consideration (ref; 12/2951/FUL). This proposes 54 parking spaces in an area to the rear of the Community Centre. Advertisement consent for a hoarding sign displaying the project and associated parties was also given approval last (ref; 12/2501/ADV).

SITE AND SURROUNDINGS

3. The application site is situated on the corner of Roseberry Road and the Causeway and is currently utilised as a public car park with a wide grass verge between both road frontages. The residential properties of Roseberry Road, Sidlaw Road and High Grange Cottage all lie to the west of the application site, with further properties on Roseberry Road situated to the south. A community centre lies to the north east of the site, with Billingham library and Dawson House situated to the south east.

PROPOSAL

4. Planning permission is sought for the construction of a 56 apartments extra care housing development with communal and support facilities, external landscaping and parking. The development will provide fifty-two, two bedroom and four, one bedroom apartments along with ancillary space for a café/dining area (c.124 sq m) & hairdressers (c. 20 sq m) over 2,3 & 4 storeys.
5. The proposal offers a contemporary design and incorporates the use of materials such as render, facing brickwork, polished concrete, shiplap cladding and concrete roof tiles on the pitched roof elements. The building would measure a maximum of 74m (l) x 39 (w) and reach a maximum height of approximately 15.5 metres to the ridge of the central section of the building.
6. The proposed development would use the existing access from The Causeway that serves the existing car park and community centre.

CONSULTATIONS

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

Head of Technical Services

General Summary

Technical services have no objections to this application.

Highways Comments

The development proposals have been reviewed and there are no highway objections to the development, subject to the issues noted below being addressed with the car parking layout. As the development would displace 87 public car parking spaces the development should also not be permitted to commence until alternative public parking arrangements are in place.

Car Parking Provision

The Council's car parking standards for extra care housing are: 1 space per warden, plus 1 space per 3 units, plus 1 space and adequate manoeuvrability for ambulances, plus 1 visitor space per 6 units.

There are 56 units in total proposed (52 two-bed / 4 one-bed) and 12 staff are proposed (2 full time / 10 part time). For 56 units, the standards would require 19 spaces (1 space per 3 unit) for residents and 9 spaces for visitors (1 space per 6 units). A total of 28 spaces are proposed. The proposed parking provision would therefore meet the standards for the units but does not take into account staff parking. An additional 1 space per warden should also be provided and although the number of staff on-site at any one time is unknown, this would usually require another 4 or 5 additional spaces.

However, given the sustainable location of the development within a town centre, with many facilities within walking distance and good bus connections to areas further afield, the proposed level of car parking is considered to be acceptable. This reduction in provision has been considered within the context of the location and notes that plentiful public car parking is available nearby if overflow parking is required. Security gates are shown on the proposed layout plan and should assist in keeping the car park for residents and visitors of the development only.

Parking Layout

The Council's parking standards require 10% of parking spaces to be designated disabled bays. Disabled parking bays must be located as close as possible to the building with level access to building. Disabled parking bays need an additional 1.2m zone around the vehicle. To meet the 10% requisite provision, 3 of the parking bays within the car park should be designated disabled parking bays and this should be conditioned if planning permission is granted.

All other car parking spaces should be 2.4m x 4.8m with adequate space to manoeuvre out of the bay - at least 0.5m of paving should be provided at the end of the parking aisles that border the landscaping to allow vehicles to reverse out of the bays. Similarly, aisle widths should be a minimum of 6m wide. The aisle between spaces 3 and 10 on the proposed site plan is too narrow.

A clear pedestrian route should be provided from the parking area to the building entrance. The pedestrian route is not clear from the proposed site plan.

Loss of Public Parking

The public car parking spaces being lost to accommodate the development are being replaced in a new car park behind the Community Centre. It should be conditioned that development on this site can not commence until alternative parking arrangements are in place.

Cycle Parking

Cycle parking should be provided and should be located within the building or conveniently sited and located in an area that is overlooked by the property. The Council's parking standards required 9 spaces (1 cycle parking space per 6 units for visitors). It is suggested that the provision of four Sheffield style stands which can accommodate 8 bicycles (2 bicycles each) should be sufficient for this development.

Access

The access into the car park for the development would utilise the existing car park access and is therefore acceptable. However, widening is indicated at the junction and the applicant would therefore need to enter into a Section 278 agreement for alterations to the highway.

Service and Delivery Vehicle Access

Information has not been provided regarding how waste would be collected from the site. A Servicing and Waste Management Strategy should be submitted for approval prior to occupation.

Landscape & Visual Comments

The footprint of the proposed building is large in relation to the size of the site and as such associated landscape works would have an important role in softening the its impact. The proposed position of the building to the south and east of the site does maximise available space for soft landscaping to the rear of the building providing a garden area and a buffer to adjacent residential properties.

The siting of the building in this location would however require the removal of 9 no. mature trees of which 7 no. are located in the south west corner of the site. These trees would be lost from the area where the building is closest to neighbouring properties and public roads therefore increase its visual impact where it is potentially at it greatest. As such semi-mature replacements must be provided, where possible.

Of particular concern is the area between the proposed building and adjacent residential properties facing onto Roseberry Road. This area should be considered for tree planting as it would partially screen the building from those properties most affected. Tree planting opportunities should also be sort along the main frontage of the proposed building with the Causeway. Subject to the assessment of highway visibility issues consideration should also be given to the planting of street trees in the existing grass verge on Roseberry Road. In all cases tree species should be selected that are appropriate for the site conditions and available space.

The design of soft landscape areas is still to be completed but there are adequate areas of communal green space with a south facing aspect. The inclusion of a soft landscaping strip adjacent to properties on Lammermuir Road and Sidlaw Road will ensure that the impact of the car park is reduced. Modification of this strip in response to the Highways comments above will have little impact on its function. It is noted that the presence of utilities along the western boundary will likely prevent the planting of trees in this location. There may however be enough space to include a tree adjacent to parking space no. 28 by the access gates.

The boundary of the site where it is adjacent to public footpaths should be carefully considered. The specification of a low railing fence and appropriate planting would soften the building. Should the application be recommended for approval suggested condition wording is provided below in the informative section at the end of the memo.

Built Environment

The building would occupy a large portion of the site and is of a height of 3-4 stories. Therefore its scale would be significant in the locality. Although Dawson House (opposite) is approximately 15 stories in height it is at some distance from the proposed building and does not relate to it as closely as the 2 story residential properties on Roseberry Road and Sidlaw Road. In this context the impact of the building upon adjacent properties and the streetscape of Roseberry Road and the Causeway would be significant.

However the design and layout of the building does help mitigate its scale to an extent. The development does respect the building line both of Roseberry Road and the Causeway with a gap of at least 3 metres provided between the building elevation and the adjacent footpath. This is the minimum acceptable width to allow for appropriate boundary treatment and soft landscaping. Such treatments will have a significant role in mitigating the visual impact of such a large building.

The contemporary architectural style is appropriate for the location and the large mass of the building has been visually broken up by the use of varied cladding materials and architectural features. The use of brick and render cladding complements the existing buildings particularly on Roseberry Road thus reflecting the local vernacular. Consideration should be given to matching the facing bricks of properties in Roseberry Road to create a degree of coherence.

The stepping down in height of the building adjacent to Roseberry Road and adjacent properties does reduce the apparent bulk of the building from these locations. Notwithstanding these comments the sheer size of the building will inevitably have a significant visual impact upon the locality. In light of the comments above there are no built environment objections.

Informatives;

LANDSCAPING - HARDWORKS

ENCLOSURE

LIGHTING

LANDSCAPING - SOFTWORKS

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.

- Construction Noise
- Unexpected land contamination
- Site Waste management Plans

Councillor Barry Woodhouse

Although I realise that this facility is much needed I feel that the detrimental effects of the proposed scale at this location outweigh the benefits. The loss of car parking will not only affect the viability of the Town centre but will also be to the detriment of the users of the Community Centre many of whom are elderly and / or disabled. The building I believe is out of keeping with the street scene although there are buildings of both lower and higher construction in the area. It may be possible to locate the building in the area but in a relocated position. I have avoided commenting on the effect of the building on residents as the construction would affect residents of Billingham West.

Northumbrian Water Limited

Having assessed the proposed development I can confirm that at this stage we would have no comments to make.

Councillor M E Womphrey

I object to the above for the following reasons:-

- (1) I realise that this facility is needed. However, the location, size and design of the proposed building is not in keeping with the street scene.
- (2) The loss of mature trees would have a detrimental effect on the street scene.
- (3) The loss of a very popular and well used car park would lead to on street parking on residential streets and be detrimental to the commercial viability of the Town Centre and users of the Community Centre.
- (4) The size and height of the building would have an overbearing and intrusive impact on High Grange Cottage plus properties on Sidlaw and Lammermuir Road.
- (5) I also realise this application is within the Billingham Central Ward and make my comments with regard to the impact on properties within Billingham West Ward and suggest that a site visit to the Vela extra care scheme in Hartlepool to view the building and talk to residents would be helpful.

Councillor Mrs M B Womphrey

I object to the above for the following reasons:-

- (1) I realise that this facility is needed. However, the location, size and design of the proposed building is not in keeping with the street scene.
- (2) The loss of mature trees would have a detrimental effect on the street scene.

- (3) The loss of a very popular and well used car park would lead to on street parking on residential streets and be detrimental to the commercial viability of the Town Centre and users of the Community Centre.
- (4) The size and height of the building would have an overbearing and intrusive impact on High Grange Cottage plus properties on Sidlaw and Lammermuir Road.
- (5) I also realise this application is within the Billingham Central Ward and make my comments with regard to the impact on properties within Billingham West Ward and suggest that a site visit to the Vela extra care scheme in Hartlepool to view the building and talk to residents would be helpful.

Adult Strategy

Adult social care supports the development of extra care housing that addresses social housing needs and where eligibility for tenancies is linked to social care need. We are, however, aware of the risks of people from outside of Stockton purchasing the apartments that are available for outright purchase or shared ownership, which would not contribute to meeting the social housing needs of older people in Stockton. Whilst the initial impact of inward migration of older people will have a more immediate impact on primary care services, the medium and longer term impact is likely to be on local social care services. The potential impact on Council resources of an increased number of people who are able to fund their own social care initially, but whose financial circumstances change, also needs to be considered.

If the proposal is approved, adult social care will be responsible for the commissioning of the care and housing related support elements of the scheme, so I would like to declare this interest.

Stockton Police Station - Eddie Lincoln

A copy of correspondence to the agents (dated 11th September 2012) has been provided setting out a number of design considerations to be considered. Much of the remaining advice relates to specific specifications or internal arrangements of certain features such as lighting, doors and windows, computers and telephone lines.

Health and Safety Executive

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

Billingham Town Council

Billingham Town Council objects to this application.

Members do not oppose the idea/concept of the extra care facility. However Billingham Town Council objects to this application for various reasons these being:

- Footprint and location of the proposed development
- Inappropriate for area/residents
- Loss of valuable car parking facilities
- Proposed car park - not secure/safe possible increase of anti-social behaviour around the car park
- Core plan - as per Stockton Borough Councils Core Plan and its contents that stipulate that out of town retail developments are not to be considered due to impact on town centre businesses this proposed development will include retail outlets and consideration must be made for similar business in the town centre
- Impact of car parking provision in Billingham
- No lifts in the proposed building
- Is there the need for the development in Billingham.

PUBLICITY

8. Neighbours were notified by letter, press advert and a site notice; comments received are summarised below. A total of 2 letters of support and 21 objections have been received:-

Support comments:

- ❑ Nice to see improvement in Billingham
- ❑ Good idea / Need for facility of this type in Billingham
- ❑ Convenient for town centre
- ❑ No other suitable locations that are known about

Supporters:

Sajid Qayyum - 71 Dawson House Queensway
E Mockler - 2 High Grange Avenue Billingham

Objections:

- ❑ Contrary to planning policies H3, H4, ENV1 and SL1
- ❑ No need for such facility
- ❑ Visually unattractive and not in keeping with the area which is 2 storey
- ❑ Other sites in Billingham would be more appropriate / better suited
- ❑ Will affect Highway & pedestrian safety
- ❑ Increase traffic/congestion
- ❑ Sub-standard access
- ❑ Existing parking problems and loss of car park exacerbate this issue/no replacement provision
- ❑ Impact on residential properties (loss of light, privacy, overbearing. Noise & disturbance)
- ❑ Over-development of the site
- ❑ Would create a precedent for developing on car parks
- ❑ Adversely effect existing town centre businesses
- ❑ Open areas of land needed for recreational purposes
- ❑ Would generate anti-social behaviour as building would screen views to the rear.
- ❑ Covenants on the land would prevent development
- ❑ Loss of Property value
- ❑ Opening up Lammermuir Road would create a rat run
- ❑ Not cost effective
- ❑ Developers have not considered residents views and objections
- ❑ Development has no lifts for those with mobility problems

Objectors:

Mrs Samantha Ross - 36 Roseberry Road Billingham
Mr David Harrison - 30 Roseberry Road Billingham
Mr Stephen Jones - 10 Sidlaw Road Billingham
P Stott - 30 Sidlaw Road Billingham
Miss Julie Harrison - 9 Sidlaw Road Billingham
Mr G K Walters - 44 Verbena Drive Billingham
Mr S C Byrnes - 102 Dawson House Queensway
Mrs P Hutchison - 3 Lammermuir Road Billingham
Gregory Sharp - 26 Roseberry Road Billingham
Sarah and Tony Phillips - 15 Sidlaw Road Billingham
Jean and Alan Davies - 12 Sidlaw Road Billingham
Amanda Pearson - 3 Sidlaw Road Billingham
Mrs Garrett - 32 Sidlaw Road Billingham
Mrs Susan Williamson - 80 Grosvenor Road Billingham
W Stott - 30 Sidlaw Road Billingham
Mrs Janet English - 40 The Poplars, Wolviston
Alan Parry - High Grange Cottage Roseberry Road
Mrs S Spark - 45 Sidlaw Road Billingham
Patricia Vaughan - 4 Sidlaw Road Billingham
Bernard Mclean - 43 Skripka Drive Billingham

PLANNING POLICY

9. 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
10. 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
11. 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

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

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

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

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.

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.

Core Strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision

3. Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per hectare may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.

10. The Council will support proposals that address the requirements of vulnerable and special needs groups consistent with the spatial strategy.

Core Strategy Policy 11 (CS11) - Planning Obligations

1. All new development will be required to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements.

2. When seeking contributions, the priorities for the Borough are the provision of:

- _ highways and transport infrastructure;
- _ affordable housing;
- _ open space, sport and recreation facilities, with particular emphasis on the needs of young people.

Saved Policy HO3

Within the limits of development, residential development may be permitted provided that:

- (i) The land is not specifically allocated for another use; and
- (ii) The land is not underneath electricity lines; and
- (iii) It does not result in the loss of a site which is used for recreational purposes; and
- (iv) It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- (v) It does not result in an unacceptable loss of amenity to adjacent land users; and
- (vi) Satisfactory arrangements can be made for access and parking.

Saved Policy EN38

Residential development or development which attracts significant numbers of people, particularly the less mobile, will be permitted in the vicinity of a hazardous installation only where there is no significant threat to the safety of the people involved.

National Planning Policy Framework

12. 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;
13. 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.

Core Planning Principles

Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

The relevant sections of the NPPF are considered to be;

Section 1. Building a strong, competitive economy

Section 2. Ensuring the vitality of town centres

Section 4. Promoting sustainable transport

Section 6. Delivering a wide choice of high quality homes

Section 7. Requiring good design

Section 8. Promoting healthy communities

Section 10. Meeting the challenge of climate change, flooding and coastal change

MATERIAL PLANNING CONSIDERATIONS

14. The main planning considerations in respect of this development are; compliance with planning policy and the impacts of the proposed development on; the vitality and viability of the defined retail centres; the visual impact; the impact on levels of residential amenity; access and highway safety; public safety and other matters arising out of public consultation.

Principle of development;

15. The application site lies within the limits to development and falls within the Billingham housing sub-region. The principle of residential development on the site is therefore considered to be acceptable.

The NPPF sets out a presumption in favour of sustainable development and a number of core planning principles, one of which states that the planning system should 'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'. Another core principle states to take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 50 in particular, makes reference for a need to plan for a mix of housing and the need of different groups such as older people and people with disabilities. Given the nature of extra care housing it is considered the proposal would meet with these particular aims. Another benefit of the development would also be that it would result in significant investment within the Borough as well as providing employment within the local area, particularly during the

construction phase. To this end it is considered the proposed development would meet with the economic and social roles of the sustainable development outlined in the NPPF.

16. Policy CS8 of the Core Strategy sets out the Council's aims to create Sustainable residential communities and requires developers to provide a mix and balance of good quality housing of all types and tenure. CS8(10) specifically states that 'the Council will support proposals that address the requirements of vulnerable and special needs groups consistent with the spatial strategy'. Extra Care Housing is designed around the needs of persons who are becoming more frail and less able to do everything for themselves. It provides varying levels of care and support on site to meet individual needs whilst still allowing for the opportunity to live independently in a home of their own and with other services on hand if they are required. The proposed development is therefore judged to be in accordance with this requirement of planning policy. The Council's Adult social care section is also supportive of extra care housing that addresses social housing needs. The provision of extra care housing is also considered to meet with government objectives outlined in the NPPF in providing an alternative form of housing to meet with the needs for the elderly or disabled persons and supporting those persons social and cultural well-being.
17. Whilst it is recognised that there remains some potential and associated risk with persons from outside the Borough purchasing the apartments available either for outright purchase or shared ownership and that in the medium and longer term any impact is likely to be on local social care services, this is not a matter for consideration by the Local Planning Authority
18. Although some objectors consider that alternative sites within Billingham, are available and better suited for this type of development there is no requirement under planning policy to consider alternative sites for a development of this nature. As indicated above the site is considered to be a sustainable site and is appropriate for a residential use. Members should therefore, only judge this application on its own merits and against the relevant planning policies.
19. An objector has also stated that the development is contrary to policies H3, H4, ENV1 and SL1, however, these are policies which formed part of the preferred options for the Regeneration and Environment Local Development Document. Although it is not considered that there is any significant conflict with the aims of these policies they have not been formerly adopted and are still subject to change as part of the Local Development Framework, as a consequence they can be afforded little weight in the determination process.

Sustainability objectives:

20. Policy CS8(3) sets out average density range of 30-50 dwellings per hectare and highlights Billingham as a location where higher densities may be appropriate subject to considerations of character. The proposed density of the scheme is approximately 108 dwellings per hectare, and along with the ancillary internal facilities being provided, the application site is located 100m (at nearest) from Billingham Town Centre, providing access to local shops and services, public transport is also available within the immediate vicinity to the wider area. It is therefore considered that the site is in a sustainable location for a high density development and is consistent with the sustainability objectives set out by central government within the NPPF and Core Strategy Policy CS2(1).
21. The applicants have provided reports as part of the planning submission some of these reports detail that the proposed building is designed to meet BRE AAM standard 'very good' and also that various options exist to meet with a requirement for 10% on-site renewable energy production. Given that a final scheme for 10% on-site renewable energy production has yet to be proposed/finalised it is considered reasonable to impose planning conditions to ensure that the requirement for both these elements are fully provided for,

Summary:

22. In view of the above, the application site is considered to carry some economic benefits and provide additional housing in a sustainable location for a development and would meet the planning policy objectives CS8(10) of providing housing for vulnerable and special needs groups. The principle of an extra care housing scheme on the site is therefore considered to be acceptable subject to the material planning considerations set out below;

Vitality and viability of the defined centres.

23. It is acknowledged that some of the additional facilities provided as part of the proposed development such as the café/dinning area and hairdressers would fall within use classes (A1 & A3) and as such are Town Centre uses that should be located within the defined retailing centres. However, the actual floor space for these uses at approximately 124 sq m for the café/dining and 20 sq m for the hairdressers is limited and underlines the ancillary nature of these elements. As a result it is not considered that these elements should be required to be located within the defined retail centres.

24. Furthermore, a key philosophy of extra care schemes is that the main purpose of these commercial units is to serve the residents and their visitors as part of the independent living aims. Any passing trade is expected to be limited given the small scale of these units and as a consequence it is expected that there would not be any significant harm to the vitality and viability of Billingham Town Centre or any of the neighbouring defined centres.

Visual impact/character of the area;

25. Within the surrounding area there are a mix of building styles and designs, ranging from the more traditional residential properties fronting onto Roseberry Road and Sidlaw Road, more modern residential properties fronting onto the Causeway and 1960's architecture within Billingham Town Centre. The more common building materials consist of brickwork, render and roofing tiles. The proposed development is contemporary in its design and is considered to be appropriate in its design approach with the changes in materials and architectural features helping to break up the mass of the building. The use of render and brickwork also reflects those materials already present within the area.

26. The proposed building would occupy a large portion of the site and would have a height of 2, 3 and 4 stories and it is acknowledged that this is significant in its scale in comparison to some the neighbouring buildings. However, other large scale buildings are also present in the surrounding area including the 15 storey Dawson House opposite and there is particularly uniformity that would preclude a development of this scale in its own right. Furthermore, the design and layout of the proposed building does help mitigate its scale to an extent with, features such as a stepping down in height of the building adjacent to Roseberry Road. The development is also considered to respect the building frontage character of both Roseberry Road and the Causeway.

27. A gap of at least 3 metres is provided between the building elevation and the adjacent footpath which is considered sufficient to allow for appropriate boundary treatments and soft landscaping which would help soften the building. The design of soft landscape areas is still to be completed but there are adequate areas of communal green space (some with south facing aspect) and the inclusion of a soft landscaping strip adjacent to properties on Lammermuir Road and Sidlaw Road will ensure that the impact of the car park is reduced. It is also noted that the siting of the building would require the removal of 9 mature trees, 7 of which are in the south west corner of the site; semi-mature replacement tree planting must therefore be provided where possible. The boundary of the site where it is adjacent to public footpaths should also be carefully considered and the low railing fence and appropriate planting would help to further soften the building.

Residential Amenity;

28. The property nearest to the application site is High Grange Cottage, to the west of the main site. This property is at closest 16.8 metres from the gable elevation of the proposed building. However, High Grange cottage is situated upon a slightly different aspect to the proposed building and although there is a gable bedroom window facing onto the application site, the primary view would be towards the communal garden area. It is acknowledged that views of the side elevation of the building would be possible from certain aspects, particularly when looking to the south-east, however, the spacing between the buildings is considered to be sufficient enough so as not to be overbearing on these residents. A distance of approximately 32 metres would remain between this bedroom window and the main rear elevation of the proposed building and with the proposed gable windows fronting onto this property being landing/corridor windows the proposed development is not considered to result in any significant loss of privacy to residents of High Grange Cottage. On balance it is considered that the relationship between High Grange Cottage and the proposed development is acceptable on planning grounds and would not justify a refusal in terms of loss of light, appearing overbearing or loss of privacy.
29. The side elevation of No. 33 Roseberry Road is situated approximately 22m from the side elevation of the proposed development. There are no habitable room windows in the side elevation of this dwelling and given the nature of the windows proposed (landing/corridor windows) it is not considered that the proposal will result in any significant loss of residential amenity to this property in terms of daylight, privacy or appearing overbearing. The properties on the opposite side of Roseberry Road, facing the application site are in excess of 30 metres from the development and again it is not considered that these residents would suffer from any significant loss of residential amenity.
30. No. 4 Lammermuir Road is situated approximately 26 metres from the side elevation of the proposed development. Again only landing/corridor windows are provided in this elevation and it is not considered that the proposed development would result in any significant loss of privacy to residents of this property. This separation distance would also ensure that there is no significant loss of amenity in terms of daylight or appearing overbearing to justify a refusal of the application. No. 4 Lammermuir Road will also be situated adjacent to the proposed car park that is to serve the proposed development. The boundary with this property is to be supplemented by additional planting at a depth of 3-4 metres. It is considered that this would be sufficient enough to screen this area and reduce any associated impacts of the car park particularly to the rear garden area.
31. The residential properties that front onto Sidlaw Road all benefit from separation distances in excess of 50 metres from their rear elevations to the rear of the proposed development. This is well in excess of the minimum 21m habitable room to habitable room guidance and even at a height of four storeys it is not considered that the proposed development would have any significant impact on levels of residential amenity so as to justify a refusal of the application. The proposed planting on the western boundary of the car park (with no's 6-10 Sidlaw Road) would also help to adequately mitigate associated impacts from vehicles entering and leaving the premise.
32. The proposed development provides for a large communal garden area to the west of the main building, along with other open spaces that surround the building. Sufficient areas therefore exist for formal and informal recreation and the proposal is not considered to represent an over-development of the site.
33. Planning conditions can be imposed over the hours of construction activity to preserve a reasonable level of amenity for the surrounding residents and to also ensure that living room and bedrooms do not suffer unsatisfactory noise from the adjacent highways.

Access and highway safety;

34. The Head of Technical Services has considered the proposed development and has no objections to the proposed development. The access into the car park for the development would utilise the existing car park access and is acceptable, widening of the access is indicated at the junction with The Causeway and the applicant would therefore need to enter into a Section 278 agreement for any alterations.
35. In terms of car parking provision the development 28 parking spaces are provided and although the scheme does not take into account staff parking it is recognised that the site is a sustainable location with many facilities within walking distance and good bus connections to areas further afield, the proposed level of car parking is therefore considered to be acceptable subject to 3 bays being designated as disabled bays. This along with the requirement for a pedestrian route from the parking area to the building entrance, provision of cycle parking and a servicing and waste management strategy can all be secured through planning conditions.
36. Several objectors have been raised as a result of the loss of car park currently present on site. Recently a separate planning application for the construction of a new public car park has been submitted for consideration (ref; 12/2951/FUL). It is proposed that 54 long stay spaces will be provided and the location of this car park is to the north of the application site behind the existing community centre. Concerns raised about the suitability and impacts of this replacement car park would be considered as part of the above application and not the extra care housing scheme.
37. Whilst the Head of Technical Services comments with respect to this replacement car parking being provided prior to commencement are duly noted, the funding allocation received by the applicant from the Homes and Communities Agency requires a start on site prior to the end of this financial year (i.e. March 2013) any pre-commencement condition would therefore affect the viability of the scheme as it is not possible for a replacement facility to be provided in time, however, temporary alternative car parking can be agreed in the meantime and a planning condition is worded to reflect this approach.
38. In view of the above and whilst the concerns of the objections in respect of traffic, highway safety and parking issues are noted, it is considered that the proposed development is satisfactory in all these respects. The proposal is also not considered to create a precedent for building upon car parks, as each planning application must be judged on its own merits and against the development plan.

Public Safety;

39. Using the Health and Safety Executives (HSE) PADHI+ consultation tool it is advised that the HSE do not advise on safety grounds against the granting of planning permission. The proposed development is therefore not considered to pose any significant risk to public safety and is therefore considered to be in accordance with Saved policy EN38 of the adopted Local Plan.

Residual issues;

40. Whilst the concerns with respect to a loss of property value and covenants being on the land are duly noted, these are not material planning considerations and cannot be taken into consideration as part of the application.

Planning obligations;

41. The Councils Open Space, Recreation and Landscaping SPD sets out that for all new developments a contribution to offset any increased demand from new residents may be required towards off-site provision of open space, landscaping and recreational facilities.

42. Whilst the Extra Care is not specifically referred to within the document it aims to provide housing that is well designed to enable people to self-care for longer and maintain independence through incorporating elements of care and other services. In effect operating between sheltered accommodation and a nursing home facility and on this basis a contribution in line with the Open Space, Landscaping and Recreation SPD is not required.

Community Safety Implications:

43. Section 17 of the Crime and Disorder Act 1998 places a duty on the authority to consider the crime and disorder implications of the proposal. The proposal is a residential development and the grounds will benefit from a degree of natural surveillance. Various means of enclosure will help to secure the site and an on site presence by staff should ensure an acceptable levels of security for future residents. The proposal is has been designed to achieve Secure by Design standards, and the development is considered to be in general conformity with Section 17 of the Crime and Disorder Act (1998) and the requirements of Policy CS3.

CONCLUSION

44. The application site has previously been identified for extra care housing and given the sustainable nature of the site is considered to be suitable for a high-density housing scheme of this nature.

45. Although the large scale of the proposed building is acknowledged, the proposed development it is on balance considered to be of an appropriate scale and its contemporary design approach is considered to be visually acceptable and would not have a detrimental impact on the amenity of neighbouring residential properties. The proposed development is also not considered to pose any significant harm to highway or public safety or pose any human rights or community safety implications.

46. Given the above the proposed development is considered to be in accordance with the aims of the NPPF and sustainable development objectives, policies CS2, CS3, CS5, CS8, and CS11 of the adopted Core Strategy and saved policies HO3 and EN38 of the Local Plan and is consequently recommended for approval subject to the planning conditions set out within this report.

**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	Councillors B Woodhouse Ann McCoy

IMPLICATIONS

Financial Implications.

Section 143 of the Localism Act and planning obligations as set out in the 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.

Regional Spatial Strategy

Stockton on Tees Core Strategy

Stockton on Tees Local Plan Alteration

Stockton on Tees Regeneration and Environment DPD (Preferred options)

Draft National Planning Policy Framework (NPPF)

Planning applications; 12/2951/FUL & 12/2501/ADV.