

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**DATE 27 FEBRUARY 2013**

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

**12/2800/FUL**

**Allensway/Tedder Avenue/Trenchard Avenue, Thornaby, Stockton on Tees  
Extension of the existing Allensway road to the south to link in with Tedder Avenue to provide a second access to Thornaby Town Centre. The work will also include the widening of Tedder Avenue on the approach to Trenchard Avenue and incorporate a revised signalised junction arrangement. Construction of a cycleway link between Trenchard Avenue and the existing route adjacent to the Adult Training Centre.**

**Expiry Date 18 January 2013**

### **SUMMARY**

This application seeks permission for the extension of the existing Allensway Road to the south to link in with Tedder Avenue to provide a second access to Thornaby Town Centre. The works will also include the widening of Tedder Avenue on the approach to Trenchard Avenue and incorporate a revised signalised junction arrangement. The scheme also includes the construction of a cycleway link between Trenchard Avenue and the existing route adjacent to the Adult Training Centre.

Under the Council's Scheme of Delegation, the application is put forward for determination by the Planning Committee as the scheme does not constitute minor development.

The application site relates to an area of land to the south of Thornaby town centre. Tedder Avenue is currently served/accessed by Trenchard Avenue. To the south of Tedder Avenue are residential properties with Northumbrian Water Limited (NWL) to the west and the Adult Training Centre to the north east. Residential properties within Leahope Court are present to the north east, adjacent to Allensway, with Asda supermarket beyond.

The main planning considerations with respect to this application are the impact on highway and pedestrian safety, the impact on the character and appearance of the surrounding area, the impact on the amenity of surrounding land users and the impact on existing landscape features.

The Head of Technical Services has raised no objections from a highway safety and access perspective. The Council's Landscape Officer has raised no objections to the loss of existing mature trees to facilitate the scheme, subject to a scheme for replacement tree planting. Final details of both hard and soft landscaping are secured by way of separate planning conditions.

Letters of support have been received from the Council's Development and Regeneration section, and Thornaby Town Council. 1 letter of objection has been received from the occupier of No 20 Leahope Court, commenting that the proposal will increase noise disturbance in the area. 1 letter of support has been received from the occupier of 40 Leahope Court.

The proposed development is considered to be of an appropriate scale, design and layout for its setting and achieves satisfactory spacing from surrounding properties and is therefore considered to not result in any unacceptable impacts on amenity associated with neighbouring land users.

The proposed scheme is also considered to be acceptable in terms of highway safety with respect to the proposed access and parking has been made. The proposal satisfies the principles of the NPPF, and Core Strategy Policies CS2 and CS3 and therefore the proposals are considered acceptable. The application is therefore recommended for approval.

## **RECOMMENDATION**

That planning application 12/2800/FUL be approved subject to the following conditions and informatives below;

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>TS-D2-26-2-7</i>	<i>23 November 2012</i>
<i>TS-D2-26-2-4</i>	<i>23 November 2012</i>
<i>TS-D2-26-2-3</i>	<i>23 November 2012</i>
<i>TS/D2/26/2/5</i>	<i>23 November 2012</i>

*Reason: To define the consent.*

**02.** *Hard landscaping*

*Notwithstanding the submitted information and prior to the proposed car parking areas, the extended access, cycleways, footpaths and any other areas of hardstanding being created, the proposed surfacing materials for the access roads, car parking and hardstanding areas within the site (as indicated on TS/D2/26/2/5, dated 23rd November 2012) and all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings shall be submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the use of permeable materials or make provision to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and shall then be retained for the lifetime of the development hereby approved.*

*Reason; To provide a satisfactory form of development in the interest of the visual amenity of the surrounding area and to prevent increase risk of flooding from surface water run off in accordance with Core Strategy Policy CS3.*

**03.** *Soft Landscaping*

*Notwithstanding the submitted information and prior to the commencement of soft landscaping works, full details of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works for new tree planting, soft landscaping and grassed areas as indicated on plan TS/D2/26/2/5 (dated 23rd November 2012).*

*This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following commencement of the development.*

**Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and to accord with Policy CS3.**

**04. Hours of construction**

**No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.**

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

**INFORMATIVE OF REASON FOR PLANNING APPROVAL**

**General Policy Conformity**

**The proposal has been considered against the policies and documents identified below. It is considered that the scheme accords with these documents as the proposed scheme does not lead to an adverse loss of amenity for existing and future occupiers of the existing properties or surrounding neighbouring residents in terms of outlook, overlooking, overbearing or overshadowing and noise disturbance. It is also considered that the proposal does not create significant incongruous features within the surrounding area. It is also considered that the proposal will not lead to a loss of highway safety or adversely affect landscaping features that are to be replaced as part of a landscaping scheme that has been ensured by a planning condition. There are no material planning considerations, which indicate that a decision should be otherwise.**

**The following policies of the Adopted Core Strategy Development Plan Document (March 2010), the Saved Policies from the Adopted Stockton on Tees Local Plan (1997) and associated documents are considered to be relevant to the determination of this application**

**Core Strategy Policy 2 (CS2): Sustainable Transport  
Core Strategy Policy 3 (CS3): Sustainable Living**

**National Planning Policy Framework.**

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

**BACKGROUND**

1. The submitted supporting planning statement notes that as part of the regeneration works to Thornaby Town Centre and a development agreement for highway works, the developer (Thornfield and its successors) had an obligation to provide a second access to the town centre. In accordance with this agreement, there was a requirement for the developer to set aside the sum of £750,000 as a bond to fund a new access road. The agreement stipulated that if the road was not provided by 31<sup>st</sup> March 2012, the Council has the option to call in the bond to arrange for the construction of the second access. The current planning application has been submitted accordingly to progress this matter.

## **SITE AND SURROUNDINGS**

2. The application site relates to an area of land to the south of Thornaby town centre. Tedder Avenue is currently served/accessed by Trenchard Avenue. To the south of Tedder Avenue are residential properties (along Tedder Avenue and Havilland Road). Northumbrian Water Limited (NWL) is present to the west with the Adult Training Centre to the north east. Residential properties within Leahope Court are present to the north east, adjacent to Allensway, with Asda supermarket beyond.

## **PROPOSAL**

3. This application seeks permission for the extension of the existing Allensway Road to the south to link in with Tedder Avenue to provide a second access to Thornaby Town Centre. The work will also include the widening of Tedder Avenue on the approach to Trenchard Avenue and incorporate a revised signalised junction arrangement. The scheme also includes the construction of a cycleway link between Trenchard Avenue and the existing route adjacent to the Adult Training Centre.
4. The extended access will run from Tedder Avenue (south) alongside the adjacent boundary to NWL depot (west) and adjoin Allensway (north east), adjacent to the Asda car park. The scheme will also provide an additional car park to serve the Adult Training Centre.
5. The proposed highway link will provide a second access into Thornaby Town Centre and provide relief to the existing signal controlled junction between Allensway and Mitchell Avenue. The scheme will also provide an additional option for emergency vehicles to access the town centre in the case of traffic problems on the other access.
6. The proposed scheme will require the loss of approximately 8 trees; the scheme makes provision for the replacement of tree planting alongside the proposed access road and cycle path.

## **CONSULTATIONS**

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

### **Head of Technical Services**

#### Highways Comments

There are no highway objections.

#### Landscape & Visual Comments

There are no landscape and visual objections to this application.

Urban design and the council's tree officer have worked with the engineers to agree new tree planting to compensate for those trees lost to the development. This is shown in outline form on Drawing no. TS-D2-26-2-5. To this effect condition wording regarding the landscape scheme is attached below in the informative section.

### **LANDSCAPING - SOFTWORKS**

Notwithstanding the proposals detailed in the submitted plans, prior to the commencement of soft landscaping works full details of Soft Landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall

be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following: commencement of the development or agreed phases or prior to the occupation of any part of the development and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

### **Development and Regeneration**

R&ED support this proposal as extension of the existing Allensway Road will provide a second access/egress route to Thornaby Town Centre which will improve access for town centre users and support the long term viability of the centre. The proposed works will also minimise potential traffic congestion that may arise on Allensway as a result of the works undertaken as part of the Bus Major scheme.

### **Thornaby Town Council**

Thornaby Town Council fully supports both applications as it will create jobs and bring sustainability to the town centre.

### **Ward Councillors (Councillor Derrick Brown, Councillor Sylvia Walmsley)**

No comments received

### **PUBLICITY**

8. Neighbours were notified and comments received are set out below

#### Norma Lilleker

40 Leahope Court Thornaby

We need a second access to the town centre.

#### Maureen Smith

20 Leahope Court Thornaby

I and all my neighbours object most strongly to this proposal. We all purchased our homes here because it was so private and quiet. This road will stop all that we might as well live in a busy road and dangerous part of the town. My neighbours said I would be wasting my time filling in this form as it is already a done deal. However I felt it was important for you to know how we all feel. I would be interested in your reply to this but will not hold my breath.

#### Northumbrian Water Limited Tees House

I have today received your notification as adjoining owner/occupier regarding the above application.

Provided the proposals do not impact upon Northumbrian Water's landownership, Northumbrian Water Limited has no comments or observations to make as a landowner. NWL may make separate representations via our New Development Department as a Statutory Undertaker.

Please note that NWL's owners on southern and western boundaries are not physically demarcated with any fence or any boundary markers. To qualify above I have attached a copy of Land Registry official title which shows title to NWL's adjoining office/depot site off Trenchard Avenue.

## 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:-

### National Planning Policy Framework

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.

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

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.
2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.
5. Improvements to the road network will be required, as follows:
  - i) In the vicinity of Stockton, Billingham and Thornaby town centres, to support the regeneration of these areas;
  - ii) To the east of Billingham (the East Billingham Transport Corridor) to remove heavy goods vehicles from residential areas;

- iii) Across the Borough, to support regeneration proposals, including the Stockton Middlesbrough Initiative and to improve access within and beyond the City Region; and
- iv) To support sustainable development in Ingleby Barwick.

### 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.

### **MATERIAL PLANNING CONSIDERATIONS**

- 12. The main planning considerations with respect to this application are the impact on highway and pedestrian safety, the impact on the character and appearance of the surrounding area, the impact on the amenity of surrounding land users and the impact on existing landscape features.
- 13. 1 letter of objection has been received from the occupier of No 20 Leahope Court, commenting that the proposal will increase noise disturbance in the area. 1 letter of support has been received from the occupier of 40 Leahope Court. Letters of support have been received from the Council's Development and Regeneration section, and Thornaby Town Council.

#### **Highway and pedestrian safety**

- 14. The Head of Technical Services has assessed the proposed scheme and has raised no objections in terms of highway and pedestrian safety.
- 15. The submitted plans indicate the hardstanding materials for the proposed car park (to serve the Adult Centre) as being bitumen, with details of the widened road to match that of the existing road. Final details of the hardstanding materials for the new cycleway can be secured by a planning condition to ensure a satisfactory form of development. The applicant has been made aware of this requirement.
- 16. The proposal will therefore improve cycleway provision and accessibility in the area

#### **Character of the area, and impact on landscape features**

- 17. In view of the modest scale of the proposed works, including the increased width of Tedder Avenue (on the approach to Trenchard Avenue) and the various additions of highway (traffic signals, traffic calming features) to the site, it is considered that the proposed works will not create significant incongruous features into the surrounding area or adversely affect the character and appearance of the surrounding area.

18. As noted above, a number of mature trees would be removed adjacent to the extended access between Allensway and Tedder Avenue. The submitted scheme indicates the replacement of these trees with a scheme of tree planting adjacent to the proposed access to the south of the Adult Centre. The Council's Landscape Officer has raised no landscape and visual objections to the application, commenting that the Council's Urban Design team and tree officer have worked with the applicant (Council's highway section) to agree new tree planting to compensate for those trees lost to the development, which is shown in outline form on the submitted plans.
19. Final details of the landscaping scheme and the implementation of this tree planting stock can be secured by a planning condition. Subject to this condition, it is considered that the planting scheme will assist in reducing the visual impact of the extended access in the surrounding area.

### **Amenity of adjacent land users**

20. The proposed car park to serve the Adult Training Centre will be located within close proximity to the main building and in view of the distances to neighbouring residential properties (approximately 70m to the south along Tedder Avenue and 100m to the north east within Leahope Court), it is considered that the proposed scheme will not result in a significant adverse loss of amenity for neighbouring properties in terms of outlook, overlooking and noise disturbance.
21. The extended access onto Tedder Avenue will be sited approximately 15m from the nearest residential properties to the south (along Tedder Avenue) and over 70m to the main Northumbrian Water Limited depot building (west) and to the neighbouring schools to the east. Furthermore the increased width of Tedder Avenue and the provision of an additional cycleway are considered to modest additions to the area.
22. The extended access to adjoin Allensway to the north of the site would run alongside the Northumbrian Water Limited depot (west) and past the Asda car park (north). The existing section of Allensway highway already runs past the cul de sac entrance to the residential properties within Leahope Court (north east). Nonetheless, it is acknowledged that by extending and linking up the highway network from Tedder Avenue up to Allensway will lead to an increased level of vehicular activity and associated noise in these areas.
23. However it is considered that the provision of the proposed traffic signals and speed reduction measures would assist in reducing the both the speed and noise of passing vehicles to surrounding residential properties. In view of the above considerations, it is considered that proposed scheme, including the widening of Tedder Avenue and the provision of additional traffic signals, will not result in unacceptable loss of amenity for neighbouring properties in terms of outlook, overlooking and noise disturbance.
24. A condition limiting hours/days of construction works/deliveries to the site is considered to be necessary and can be secured by a planning condition.

### **Residual Matters**

25. Northumbrian Water Limited (NWL) have been consulted as adjoining land owners and have raised no objections to the proposals subject to the scheme not affecting NWL's operations or land ownership. Whilst this is a civil matter, the applicant has confirmed in writing that no part of the scheme will encroach upon or affect the operation of NWL's depot.



## **CONCLUSION**

26. The proposed development is considered to be of an appropriate scale and design for its setting and achieves adequate spacing from surrounding properties and is therefore considered to not result in any unacceptable impacts on amenity associated with neighbouring land users. Adequate provision for access and parking has been made. In view of the above it is considered that the proposal accords with Core Strategy Policies CS2 and CS3.

27. It is recommended that the application be **Approved** with Conditions for the reason specified above.

**Corporate Director of Development and Neighbourhood Services**  
**Contact Officer Mr Daniel James Telephone No 01642 528551**

## **WARD AND WARD COUNCILLORS**

**Ward Stainsby Hill**  
**Ward Councillor Councillor Mrs Sylvia Walmsley**

**Ward Stainsby Hill**  
**Ward Councillor Councillor Derrick Brown**

## **IMPLICATIONS**

**Financial Implications:** As report

**Legal Implications:** As report

**Environmental Implications:** As report

### **Human Rights Implications:**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. The detailed considerations within this report take into account the impacts on neighbouring properties, visitors to the area, pedestrians and other relevant parties responsible for; or with interests in the immediate surrounding area. Consideration has been given to the level of impact and mitigating circumstances with conditions being recommended to reduce the impacts of the scheme where considered to do so.

### **Community Safety Implications:**

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report