

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**31 JULY 2013**

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

**13/1324/LAF**

**Former Council Offices And Art Gallery, East Precinct, Billingham.**

**Proposed Library & Customer Contact Centre with associated external works including car parking and modifications to existing junction**

**Expiry Date: 29 July 2013**

#### **SUMMARY**

This application seeks planning permission for the erection of a proposed library and customer contact centre with associated external works including car parking and modifications to the existing junction on a parcel of land occupied by the former Council Offices and Art Gallery, East Precinct within Billingham Town 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 the former Billingham Council Offices and Art Gallery that are currently being demolished on site (as per the demolition consent; 13/0216/DEM). The site, measuring approximately 3,180 square metres in area, is located within a prominent position within Billingham Town Centre with commercial properties to the north and to the west with a police station to the east. Beyond the highway of Kingsway to the south are residential properties along Grampian Road.

The Head of Technical Services and the Council's Landscape Officer has raised no objections to the scheme subject to a number of conditions relating to hard and soft landscaping, lighting and street furniture. The Environmental Health Unit has raised no objections to the scheme.

No letters of objection have been received from neighbouring properties or local ward councillors.

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 not considered to result in any unacceptable impacts on residential amenity. The proposed scheme is also considered to be acceptable in terms of highway safety and the proposal satisfies the principles of the NPPF, and Core Strategy Policies CS2, CS3, CS6 and CS10.

#### **RECOMMENDATION**

**That planning application 13/1324/LAF 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);**

<b>Plan Reference Number</b>	<b>Date on Plan</b>
<b>SBC0001 GLAZING MATERIALS</b>	<b>2 July 2013</b>
<b>ARC1219-90-01</b>	<b>3 June 2013</b>
<b>ARC 1219-90-03</b>	<b>3 June 2013</b>
<b>ARC1219-27-01</b>	<b>3 June 2013</b>
<b>ARC1219-20-30</b>	<b>3 June 2013</b>
<b>ARC1219-20-20</b>	<b>3 June 2013</b>
<b>ARC1219-20-01</b>	<b>3 June 2013</b>
<b>ARC1219-90-02</b>	<b>3 June 2013</b>
<b>ARC1219-90-50</b>	<b>3 June 2013</b>
<b>ARC1219-90-20</b>	<b>3 June 2013</b>
<b>ARBORICULTURAL ASSESSMENT</b>	<b>3 June 2013</b>

**Reason: To define the consent.**

**02. Soft Landscaping**

**Notwithstanding the submitted information and prior to the commencement of development, 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 ARC 1219-90-20 (dated 3rd June 2013).**

**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.**

**03. Lighting scheme**

**Notwithstanding the submitted information and prior to the building hereby approved being brought into use, full details of the method of external illumination, angle of alignment, light colour, luminance of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed lighting scheme shall be implemented in accordance with the agreed scheme prior the building hereby approved being brought into use.**

**Reason: To enable the Local Planning Authority to control details and in the interests of the amenities of the surrounding area and highway safety.**

**04. Hard landscaping**

**Prior to the development hereby approved being brought into use, the agreed hard landscaping scheme (including the proposed car parking areas, footpaths and any other areas of hardstanding being created) and the schedule of works shall be implemented in accordance with the specification details and siting as detailed on approved plan ARC 1219-90-20 (dated 3rd June 2013) unless an alternative scheme for hard landscaping is agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved scheme and shall then be retained for the lifetime of the development hereby approved. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.**

**Reason; To provide sufficient car parking to serve the development and to prevent increase risk of flooding from surface water run off in accordance with Core Strategy Policy CS3.**

**05. Finishing materials**

**Construction of the external walls and roofs (including solar panels) shall be completed in accordance with the approved plans including the specification materials on plans ARC1219-20-20 and ARC1219-27-01 (both dated 3rd June 2013) and SBC0001 GLAZING MATERIALS (dated 2nd July 2013).**

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

**06. Tree Protection**

**The existing trees that are to be retained as identified on plan ARC1219-90-50 (dated 3rd June 2013) shall be fully protected during construction works in accordance with the measures detailed on the submitted Arboricultural Implication Assessment 1st May 2013 (SBC stamp dated 3rd June 2013) for protection of the trees in relation to design, demolition and construction and shall fully adhere to B.S.5837 (2012).**

**Reason: To protect the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality which should be appropriately maintained and protected.**

**07. Street furniture and cycle stand**

**Notwithstanding the submitted information and prior to the installation of any street furniture associated with the development, full details including cycle storage, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed scheme prior the building hereby approved being brought into use.**

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

**08. 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.**

#### **09. Unexpected land contamination**

**In the event that contamination is found at any time when carrying out the approved development, 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 and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.**

**Reason: To ensure the proper restoration of the site and to accord with guidance contained within Stockton on Tees Core Strategy Policy 10 (CS10) - Environmental protection and enhancement**

#### **INFORMATIVE OF REASON FOR PLANNING APPROVAL**

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

#### ***Informative to applicant; Wildlife Habitats***

***If protected species, including nesting birds, are discovered during the course of the development then works should cease and advice sought from an ecological consultant, as per the recommended guidance of Natural England.***

#### **BACKGROUND**

1. 13/0216/DEM; Prior approval was not required for the demolition of Billingham Council Offices and Art Gallery, decision dated 25.02.2013. The works to demolish these buildings as part of the current application are currently on going on site with the art gallery being demolished as of 18th June 2013.

#### **SITE AND SURROUNDINGS**

2. The application site relates to the former Billingham Council Offices and Art Gallery, located along East Precinct, Billingham Town Centre, that are currently being demolished on site.
3. The site, measuring approximately 3180 square metres in area, is located within a prominent position within Billingham Town Centre with commercial properties to the north and to the west with a police station to the east. Beyond the highway of Kingsway to the south are residential properties along Grampian Road.

## **PROPOSAL**

4. This application seeks planning permission for the erection of a proposed library and customer contact centre with associated external works including car parking and modifications to the existing junction.
5. The proposed building consists of three elements;  
The north elevation will measure approximately 35m in length x 17m in width x 7.5m in height. This element would feature a high level of glazing in the front elevation. This element would be finished with an aluminium curtain walling system and two different types of glazing consisting of DualTherm E for the north facing façade and DualTherm HP for the remaining sections. This elevation will feature the main pedestrian entrance.
6. The west elevation would feature a lower roof than the main northern elevation and would be splayed at an angle to the main/north elevation. This element would measure approximately 19m in width x 27m in length (tying back into the southern/rear elevation) x 4.4m in height. This element of the building would be broken up by a larger/taller section towards the southern elevation, measuring approximately 9.5m in height. This element would be primarily finished in a zinc cladding system.
7. A 'pod' element of a curved design would project from the southern/rear elevation and would measure approximately 8.5m in width x 4.6m in projection x 4.5m in height. This element would also be finished in a zinc cladding system and would feature a number of windows in the side elevations.
8. The roof will feature solar panels in addition to 4 x roof mounted natural air ventilators. The proposal features a small mezzanine element in the rear/southern element of the building.
9. The scheme also includes new tree and shrub planting around the perimeter of the site in addition to small pockets of landscaped areas. A new footpath would run along the eastern perimeter of the site. A small car park would also be created to the rear/south with 6 disabled parking spaces being created. The modification works to the highway consist of the narrowing of the car parking entrance.

## **CONSULTATIONS**

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

### **Head Of Technical Services**

#### General Summary

The Head of Technical Services supports the application.

#### Highways Comments

Given that this site is close to public car parks and disabled parking is provided in addition to a new electric car charging point, the reduction in car parking provision is acceptable in this instance. Pedestrian access routes are maintained from Kingsway to the town centre and visitor cycle parking is provided close to the main entrance.

#### Environmental Policy Comments

The applicant has provided the predicted energy demand and contribution from PV, which the Carbon Reduction Officer has confirmed as being acceptable;

Anticipated energy demand for the building: 50Kw electrical and 50Kw heating. The larger spaces are naturally ventilated by roof terminals, smaller cellular accommodation by mechanical supply and extract ventilation.

With regards to environmental proposals roof mounted PV panels shall provide 8.5 Kw of energy and ground source heating (bore holes) approx. 50Kw of energy. GHS heating will also be used for additional cooling in the summer months.

#### Landscape & Visual Comments

The proposed building and landscape works would contribute to the wider regeneration of Billingham town centre and will visually enhance the streetscape. The proposed building and landscape works are of a high quality and contemporary design and will complement the ongoing public realm works in the town centre. Subject to the conditions below the Head of Technical Services supports the application.

#### LANDSCAPING - HARDWORKS

Notwithstanding the proposals detailed in the Design and Access Statement and submitted plans, no hard landscaping works (excluding base course for access roads and car park) shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

#### STREET FURNITURE

Notwithstanding the proposals detailed in the Design and Access Statement and submitted plans, Prior to the commencement of the installation of street furniture, details of any street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority Such street furniture as agreed shall be erected before the development hereby approved is occupied.

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

#### LIGHTING

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans full details of the method of external illumination, siting, angle of alignment; light colour, luminance of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of external lighting and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenities of adjoining residents and highway safety.

#### LANDSCAPING - SOFTWORKS

Notwithstanding the proposals detailed in the Design and Access Statement and 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.

#### **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**

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

#### **Unexpected land contamination**

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.

#### **Northumbrian Water Limited**

In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

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

#### **Development and Regeneration**

Regeneration & Economic Development fully endorse this proposal. The new facility will have huge positive effects on the multi-million pound regeneration already underway in Billingham town centre, and will provide state of the art facilities at the heart of the community. The proposed site has long been identified as the most suitable and sustainable location for a new library and customer service centre. The building form has been carefully designed to reflect the current form of the streetscape, and will complement the planned public realm improvements in the town centre.

#### **Health and Safety Executive**

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major Hazard sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using PADHI+, HSE's planning advice software tool, based on the details input by Stockton-on-Tees Borough Council. Only the installations, complexes and pipelines considered by Stockton-on-Tees Borough Council during the PADHI+ process have been taken into account in determining HSE's advice. Consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

**Councillor Ann McCoy**  
**Councillor Barry Woodhouse**  
No comments received

**Northern Gas Networks**  
(summarised) no objections to planning application

**Waste Management**  
No comments received

**Northern Powergrid**  
No comments received

## **PUBLICITY**

11. Neighbours were notified and no comments were received.

## **PLANNING POLICY**

12. 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
13. 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
14. 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

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.

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

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'.

To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.

Where suitable proposals come forward for medium to small scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document.

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 6 (CS6) - Community Facilities

Priority will be given to the provision of facilities that contribute towards the sustainability of communities. In particular, the needs of the growing population of Ingleby Barwick should be catered for.

Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.

The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document.

Support will be given to the Borough's Building Schools for the Future Programme and Primary Capital Programme, and other education initiatives, the expansion of Durham University's Queen's Campus, and the provision of health services and facilities through Momentum: Pathways to Healthcare Programme.

Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location, through initiatives such as the Extended Schools Programme.

#### Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

1. In taking forward development in the plan area, particularly along the river corridor, in the North Tees Pools and Seal Sands areas, proposals will need to demonstrate that there will be no adverse impact on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, or other European sites, either alone or in combination with other plans, programmes and projects. Any proposed mitigation measures must meet the requirements of the Habitats Regulations.

2. Development throughout the Borough and particularly in the Billingham, Saltholme and Seal Sands area, will be integrated with the protection and enhancement of biodiversity, geodiversity and landscape.

3. The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of:

i) Strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George.

ii) Green wedges within the conurbation, including:

\_ River Tees Valley from Surtees Bridge, Stockton to Yarm;

\_ Leven Valley between Yarm and Ingleby Barwick;

\_ Bassleton Beck Valley between Ingleby Barwick and Thornaby;

\_ Stainsby Beck Valley, Thornaby;

\_ Billingham Beck Valley;

\_ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

4. The integrity of designated sites will be protected and enhanced, and the biodiversity and geodiversity of sites of local interest improved in accordance with Planning Policy Statement 9: Biodiversity and Geological Conservation, ODPM Circular 06/2005 (also known as DEFRA Circular 01/2005) and the Habitats Regulations.

5. Habitats will be created and managed in line with objectives of the Tees Valley Biodiversity Action Plan as part of development, and linked to existing wildlife corridors wherever possible.

6. Joint working with partners and developers will ensure the successful creation of an integrated network of green infrastructure.

7. Initiatives to improve the quality of the environment in key areas where this may contribute towards strengthening habitat networks, the robustness of designated wildlife sites, the tourism offer and biodiversity will be supported, including:

- i) Haverton Hill and Seal Sands corridor, as an important gateway to the Teesmouth National Nature Reserve and Saltholme RSPB Nature Reserve;
- ii) Tees Heritage Park.

8. The enhancement of forestry and increase of tree cover will be supported where appropriate in line with the Tees Valley Biodiversity Action Plan (BAP).

9. New development will be directed towards areas of low flood risk, that is Flood Zone 1, as identified by the Borough's Strategic Flood Risk Assessment (SFRA). In considering sites elsewhere, the sequential and exceptions tests will be applied, as set out in Planning Policy Statement 25: Development and Flood Risk, and applicants will be expected to carry out a flood risk assessment.

10. When redevelopment of previously developed land is proposed, assessments will be required to establish:

- \_ the risks associated with previous contaminative uses;
- \_ the biodiversity and geological conservation value; and
- \_ the advantages of bringing land back into more beneficial use.

## **MATERIAL PLANNING CONSIDERATIONS**

15. The main planning considerations with respect to this application are the principle of development, the impact on the character and appearance of the surrounding area, the impact on the amenity of neighbouring land users and the impact on highway safety. These and any other residual matters are considered as follows;

### **Principle of the development**

16. The proposal relates to the provision of a library and customer contact centre within the established town centre and the defined Limits to Development. The site is located within walking distance of large residential areas and close to public transport routes. As such the site is considered to be sustainable and accords with the general provisions of the National Planning Policy Framework.
17. The criteria of Core Strategy Policy CS6 (Community Facilities) states that;
1. *Priority will be given to the provision of facilities that contribute towards the sustainability of communities*
  2. *Opportunities to widen the Borough's cultural, sport, recreation and leisure offer;*
  3. *The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced;*
  4. *Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location.*
18. The submitted Design and Access Statement notes that the former Council offices site has been selected for the new development "*due to the prominent town centre location and the availability of the site...there is an identified need for a new library and customer contact centre within the building area to replace existing Council services*" with the proposal replacing the existing Roseberry and Bedale library facilities whilst the customer contact centre "*will provide a single point contact for customer based departments*".
19. In view of the above Policy considerations, it is considered that the proposed scheme would be located within a suitable location and would complement the on-going regeneration works within the town centre, a view supported by the Council's Regeneration and Economic Development Department. As such, it is considered that the proposal would satisfy the provisions of Core Strategy CS6 in terms of providing a range of services and a

facility in a sustainable and accessible location and the principle of development is therefore considered to be acceptable, subject to the proposed scheme satisfying other material considerations as set out below;

#### **Impact on character and appearance of site and surrounding area**

20. Core Strategy Policy CS3 states that all new developments should make a positive contribution to the Borough. The proposed development is considered to be of a modern design, created from modern style materials that are considered to provide a complementary design to the surrounding area. The proposal is of a linear form whereby the pallet of materials in addition to the different elements of the building assist in both breaking up the massing of the scheme and providing a complementary scheme when viewed from different vantage points around the site. The additional landscaping scheme would also assist in contributing to a positive outlook from the surrounding areas.
21. In view of the above considerations and the various building styles within the immediate surrounding area, it is considered that the proposal is in keeping with the design, scale and layout of the site and the surrounding area and achieves satisfactory spacing. It is therefore considered that the proposal satisfies the provisions of Core Strategy Policy CS3 and the NPPF.
22. The submitted design and access statement notes that the building "*will benefit from the latest technologies to minimise its carbon footprint*" and includes natural ventilation systems, high levels of insulation, roof mounted solar panels and solar control glass in the south, west and east elevations to prevent overheating. The Council's Carbon Reduction Officer has confirmed that the submitted scheme is acceptable including the predicted energy demand and the contribution from the solar panels (photo voltaic). The proposal is therefore considered to accord with the provisions of CS3 in this instance.

#### **Landscaping**

23. An arboriculture implications assessment and tree survey report has been submitted as part of the application and states that the group of trees adjacent to the vehicular junction can be removed whilst the trees to the south west corner of the site (identified as T1 and T2) should be retained and protected during construction works. An ornamental grass strip is to be provided along the front and side/east of the building in addition to new tree and shrub planting around the site periphery.
24. The Council's Landscape Officer has commented that the proposed landscape works would contribute to the wider regeneration of Billingham town centre and will visually enhance the streetscape. The Officer therefore raises no objections to the scheme subject to a number of planning conditions relating to i) a scheme for soft landscaping (notwithstanding the submitted information) ii) implementation of the submitted hard landscaping scheme iii) a full scheme for lighting and iv) full details of street furniture including cycle storage.
25. The submitted arboriculture implications assessment includes measures for tree protection; a condition is also recommended in respect to tree protection during construction works. Subject to these conditions, it is considered that the proposed scheme will not adversely affect existing landscape features and will provide a suitable landscaping scheme that complements the proposed building and surrounding areas.

#### **Amenity**

26. The proposal will be primarily sited adjacent to commercial/non-residential buildings to the east and to the west with commercial buildings sited beyond to the north. In view of the siting of the proposed building and remaining distances to these predominantly commercial properties, it is considered that the proposed scheme will not result in an adverse loss of amenity in terms of outlook, overlooking, overbearing and overshadowing.

27. A separation of approximately 26m would remain between the nearest section of the proposed building to the gable side/front elevations of the residential properties to the south along Grampian Road with the presence of a highway in between. Consideration is given to the established siting of the former Council offices (and the associated scale of those buildings), and that the proposal will feature different elements (heights and materials) to assist in breaking up the massing of the proposal. The additional landscaping scheme would also assist in contributing to a positive outlook from the surrounding areas.
28. In view of the above considerations, it is considered that the proposed scheme will not result in an adverse loss of amenity for neighbouring properties to the rear/south in terms of outlook, overlooking, overbearing and overshadowing.
29. The Council's Environmental Health Unit has raised no objections to the scheme subject to conditions controlling i) hours of construction/deliveries and ii) a report being produced should contaminated land be found on site. In view of the nature of the works and that the works include demolition of former buildings, it is considered that both conditions are suitable in this instance and can be secured accordingly.
30. Given the established commercial nature of the town centre, the above referenced separation distances, and subject to the above conditions, it is considered that the proposal will not result in an adverse loss of amenity in terms of noise disturbance for neighbouring land users.

### **Highway safety**

31. The Head of Technical Services has raised no objections to the proposed scheme commenting that the site is close to public car parks and disabled parking is provided in addition to a new electric car charging point, and therefore the reduction in car parking provision is acceptable in this instance. Visitor cycle parking is also to be provided close to the main entrance, final details of which (including other street furniture) can be secured by way of a planning condition. Full details of hardstanding areas have been submitted and the implementation of the agreed scheme can be secured by a planning condition. It is therefore considered that the proposed scheme will not result in an adverse loss of highway or pedestrian safety.

### **Residual Matters**

#### *Protected Species*

32. The applicant has submitted a Bat Risk Assessment ecology report that was originally submitted as part of the demolition application 13/0216/DEM for the council offices and art gallery. The report concluded that there were no opportunities for roosting bats within the building and as such the risk of bats being present was assessed as low. The report also concluded that there was a low risk of the adjacent mature trees supporting roosting bats.
33. The report does make reference to the potential for nesting birds to the use the site (in the current buildings). Whilst no evidence of nesting birds was found, the report advised that certain bird species commonly nest in such buildings. The developer was therefore required to accord with relevant protective legislation should such birds be found and was made aware of this as an informative on the decision letter for the demolition approval. Given that the art gallery has been demolished on site and works to demolish the offices are on-going, the applicant would be required to continue to accord with this legislation (and informative).

*Flood risk*

34. The site is located within Flood Zone 1 (the lowest risk) and the Council's Surface Water Management Team raises no objection to the proposal.

*HSE Consultation Zones*

35. The application has been assessed through the Health and Safety Executive's PADHI+ system (planning advice software tool) with respect to the siting of the application site and hazardous installations. The HSE "*does not advise, on safety grounds, against the granting of planning permission in this case*".

## **CONCLUSION**

36. 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.
37. In view of the above, it is considered that the proposal accords with Core Strategy Policies CS2, CS3, CS6 and CS10 and it is recommended that the application be approved with conditions for the reasons specified above.

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

## **WARD AND WARD COUNCILLORS**

**Ward** Billingham Central  
**Ward Councillor** Councillor B Woodhouse

**Ward** Billingham Central  
**Ward Councillor** Councillor Ann McCoy

## **IMPLICATIONS**

Financial 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.

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.

### Background Papers

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments