

DELEGATED

AGENDA NO
PLANNING COMMITTEE

11 SEPTEMBER 2013

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

13/1763/LAF

Site of Former Dodshons Fountain, High Street, Stockton-on-Tees
Installation of The Stockton Flyer automated train sculpture

Expiry Date 11 September 2013

SUMMARY

The application seeks planning permission for the erection of the Stockton Flyer, Automaton and associated plinth.

The applicant states that the daily movement of the automaton will become a real feature of the newly regenerated High Street, a talking point for visitors and a familiar fun event for locals.

It is not considered that the proposals will adversely impact on the Stockton Town Centre conservation area and the application is recommended for approval.

RECOMMENDATION

That planning application 13/1763/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);

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>17 July 2013</i>
<i>TS-D1-295</i>	<i>17 July 2013</i>
<i>TS-D1-295-SK001</i>	<i>17 July 2013</i>

Reason: To define the consent

02. Notwithstanding the submitted information full details of the proposed finishing materials to be used in the construction of the plinth shall be submitted to and approved in writing with the Local Planning Authority

Reason: - In the interests of the amenities of the Stockton Town Centre conservation area

- 03. Details of any lighting to be installed on the structure shall be submitted to and approved in writing by the Local Planning Authority before being installed on the structure. The lighting shall be implemented in accordance with the agreed details.**

Reason: - In the interests of the amenities of the Stockton Town Centre conservation area

- 04. Details of any safety rail/railings to be installed to the plinth shall be submitted to and approved in writing by the Local Planning Authority before any such apparatus on installed on the structure. The works shall be implemented in accordance with the agreed details.**

Reason: - In the interests of the amenities of the Stockton Town Centre conservation area

- 05. Full details of the final positioning of the automaton sculpture on the plinth, shall be submitted to and agreed in writing with the Local Planning Authority before that element of the planning approval is implemented on site. The automaton shall be sited in accordance with the agreed details.**

Reason:-In order for the Local Planning Authority to control that element of the development

INFORMATIVE OF REASON FOR PLANNING APPROVAL

The Local Planning Authority has implemented the requirements of the NPPF

BACKGROUND

1. Stockton High Street is currently undergoing a multimillion pound regeneration of its public realm.
2. As part of the regeneration programme an artwork automat the Stockton Flyer, has been designed and is proposed as a permanent art work feature at the northern end of the High Street.
3. The automaton was a design competition with 3 artists asked to produce a design feature. Models of the designs were placed in the High Street Stockton Shop for members of the public to vote on their preferred design, over 1000 people voted. The Stockton flyer was the winning design and the designed further developed.
4. The design of the automaton engine is based on Stephenson's Locomotion Number 1 the idea behind it being to create a heavy iron object emerging from the plinth, gushing steam and clanking into life. The design and use of found industrial objects echoing the industrial heritage and celebrating the engineering achievements of Stockton.

5. The Stockton Flyer is intended to be a focal point and art feature within the newly restored High Street.

SITE AND SURROUNDINGS

6. The application site is at the northern end of Stockton High Street on the approximate site of the recently relocated Dodshons fountain.
7. The site lies outside the New Look clothes store, near to Marks and Spencer in an area of public realm.
8. It is proposed to site the plinth on an east/west axis with the front of the automaton engine pointing towards the Riverside.
9. The site lies within the Stockton Town Centre conservation area.

PROPOSAL

10. The application seeks planning permission for the installation of the Stockton Flyer, an automated train sculpture and associated housing. The plinth is proposed at 4.7m square and 4 m high, with the automaton engine approximately 2.5m square.

The feature is composed of two elements:-

11. The automaton (Stockton Flyer) - a large scale automated artwork inspired by the cultural and industrial heritage of Stockton. The flyer is inspired by George Stephenson's Locomotion Number 1. As set times each day the automated sculpture will emerge from the plinth reaching its full height with automated movements before disappearing back into the plinth. The applicant states that the aim for this daily event to become a real feature of the newly regenerated High Street, a talking point for visitors and a familiar fun event for locals.
12. The plinth- The base for the feature will be a plinth in a traditional classic inspired design, stone faced to reflect other monument/plinth type structures in the High Street. The seemingly empty plinth will then be used in several ways to become an interesting and exciting focal point for visitors, It will house the automaton as well as functioning as a platform that can be used for speaking/performance and other temporary artworks.

CONSULTATIONS

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

Head of Technical Services General Summary

The Head of Technical Services has no objections to this application.

Highways Comments

There are no highway objections.

Landscape & Visual Comments

There is support for this application in relation to landscape & visual / built & environment; the proposed works support the wider regeneration of Stockton High Street.

Environmental Health Unit

Environmental Health would have no comments for this application

Tees Archaeology

The small footprint of the sculpture is unlikely to have a significant impact on archaeological deposits. I have checked historic maps and have not noted any former structures such as wells in this area.

I am pleased to see that the sculpture is based on the Locomotion No. 1 and will promote the industrial heritage of the town.

Northumbrian Water Limited

Northumbrian Water's apparatus is located close to the development. We require unrestricted access to this apparatus at all times and will not permit the erection of buildings or structures over or within 4.5m to it. Any proposed structure, must comply with the standard Northumbrian Water guidelines. Diversion or relocation of the apparatus may be possible at the applicant's full cost. The Developer should contact us to agree the detailed scheme for the accurate location, protection of and access to its apparatus in accordance with Northumbrian Water's standard easement conditions.

Northern Gas Networks

No objections, there may be apparatus at risk during construction and the promoter of the works should contact us to discuss our requirements in detail.

PUBLICITY

Neighbours were notified by means of letter, site notice and press advert and no comments were received.

PLANNING POLICY

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

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

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.

Saved Policy EN24 of the adopted Stockton on Tees Local Plan

New development within conservation areas will be permitted where:

- (i) The siting and design of the proposal does not harm the character or appearance of the conservation area; and
- (ii) The scale, mass, detailing and materials are appropriate to the character and appearance of the area

Core Strategy Policy 1 (CS1) - The Spatial Strategy

1. The regeneration of Stockton will support the development of the Tees Valley City Region, as set out in Policies 6 and 10 of the Regional Spatial Strategy 4, acting as a focus for jobs, services and facilities to serve the wider area, and providing city-scale facilities consistent with its role as part of the Teesside conurbation. In general, new development will be located within the conurbation, to assist with reducing the need to travel.

2. Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.

Core Strategy Policy 5 (CS5) - Town Centres

2. Stockton will continue in its role as the Borough's main shopping centre. Up to 2011, the need for additional capacity can mostly be met through committed developments and the occupation and reoccupation of vacant floorspace. Beyond 2011, there may be a requirement to bring forward new retail developments within the town centre in the first instance, to improve quality and widen the range of the shopping offer in the Borough. The creation of specialist roles for Stockton, for example as a sub-regional historic market town, or through the concentration of a mix of ethnic retailers or small independent chrysalis stores, will be supported. Other initiatives will include:

- i) Improving the main approaches to the town via the Southern, Eastern and Northern Gateways, through creating new development opportunities and promoting environmental improvements;
- ii) Promoting a balanced and socially inclusive cultural sector and 24-hour economy across the town centre, particularly in the vicinity of Green Dragon Yard;
- iii) Providing additional leisure opportunities, and other town centre uses, in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth;
- iv) Improving pedestrian links to the riverside.

MATERIAL PLANNING CONSIDERATIONS

13. The main considerations of the application are the impact of the proposals on the amenities of the surrounding area, the impact on the Stockton Town Centre conservation area, highway and pedestrian safety and the general amenities of the area.

Impact on the character of the conservation area/amenities of the area

14. The structure will be located in the central High Street area. The High Street is a wide High Street with a variety of building types and ages predominantly Georgian and Victorian buildings with modern interjections. The feature is composed of two elements:-
15. The automaton (Stockton Flyer) - a large scale automated artwork which at set times each day will emerge from the plinth reaching its full height with automated movements before disappearing back into the plinth. The addition of a set of wings which flap as the engine rises from the plinth and the addition of a smoke machine to create smoke rings from the funnel is also proposed.
16. The plinth- The base for the feature will be a plinth in a traditional classic inspired design, a steel box construction faced in stone to reflect other monument/plinth type structures in the High street. This seemingly empty plinth will then be used in several ways to become an interesting and exciting focal point for visitors, It will house the automaton as well as being suitable to act as a platform that can be used for speaking/performance and other temporary artworks.
17. Portholes are proposed on the side of the plinth to enable the viewer to watch the flyer as it rises up. It is proposed that inside the plinth the flyer will be lifted into position using a hydraulic scissor/car lift.
18. The plinth is a substantial scale which is required both to house the automaton when in its dormant state and to enable it to be a performance plinth. It also has to be of a height to dissuade seating and climbing and the structure will incorporate an anti-climb coping edge.
19. The plinth is designed in a classic style faced in stone and takes references in its detailing from prominent High Street buildings notably the Town Hall, Dodshons fountain and Market Cross. On the side of the plinth will be viewing portholes to view the automaton in its dormant state. A maintenance access door will be provided on the side of the plinth to access the structure and automaton for servicing and maintenance.
20. Although visually a substantial structure in size, it will be nearly 6.5m high when the sculpture is raised, it will be in keeping with other architectural detailing found on the High Street and will not appear out of place in relation to the adjoining building scale which is predominantly 3-4 storeys in height.
21. The structure will be located on an area of public realm and will not involve substantial foundations and Tees Archaeology has no objection to the proposals due to the relatively small footprint.
22. As a piece of art work it is intended that the structure will stand out and add animated interest within the High Street creating a focal point for gathering and reflection. In that regard it is considered that the structure will add vibrancy and interest to the High Street and wider conservation area.
23. It is therefore not considered that the proposal would adversely impact on the significance of the Stockton Town Centre conservation area or the visual amenities of the surrounding area. The application is therefore considered to accord with saved policy EN24 of the STLP and CS3 of the Core Strategy.

Impact on Highway Safety

24. The art work will be installed on an area of pedestrian highway however it is not considered that this will have an adverse impact on pedestrian or vehicle movement. The Head of Technical Services has been consulted on the application and has no objection to the proposal. It is therefore considered that the proposal is acceptable in highway terms.

Impact on amenities of neighbouring properties

25. The structure will be located in the town centre in an area of town that is predominantly commercial use with no directly adjoining neighbouring properties. Automated, the apparatus will involve a degree of noise and animation to create interest to the installation using whistle and bell sounds however this noise will not be significant. It is intended that lighting will also be incorporated into the design and exact details can be controlled through conditions.
26. The Head of Environmental Health raises no objections to the application and it is not considered that the structure will cause any undue impact on the amenities of neighbouring properties through noise or nuisance.

Other matters

27. The use of the plinth as a speaking/performance platform may require the installation of an appropriate safety barrier/railing and these details will be conditioned to ensure if required it can be covered through this existing application.

CONCLUSION

28. It is considered that the proposal will support the wider objectives of regeneration of Stockton High Street. It is not considered that the Automaton will have an adverse impact on the significance of the conservation area or the general amenities of the area or have an adverse impact on any neighbouring properties.
29. It is recommended that planning permission be **Approved with Conditions** for the reasons specified above

Corporate Director of Development and Neighbourhood Services
Contact Officer Mrs Fiona Bage Telephone No 01642 526271

WARD AND WARD COUNCILLORS

Ward Stockton Town Centre
Ward Councillor Councillor D. W. Coleman

Ward Stockton Town Centre
Ward Councillor Councillor P. Kirton

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.
Stockton on Tees Local Plan Adopted Version June 1997
Core Strategy Development Plan Document March 2010
The National Planning Policy Framework
CaHEF SPD 4
Stockton Town Centre Urban Design Guide 2012