

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
19 MARCH 2014
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

14/0066/FUL

**Thornaby Wood, Thornaby Road, Thornaby
Construction of steel footbridge across Bassleton Beck**

Expiry Date 26th March 2014

SUMMARY

This application seeks permission for the installation of a footbridge across Bassleton Beck within Thornaby Wood. The development is part of a wider project to create a network of paths around Ingleby Barwick and Thornaby.

In accordance with the scheme of delegation this application requires to be determined by the Planning Committee

Eight objections have been received from residents who are concerned about the potential for theft and anti-social behaviour and the use of the bridge by motorcycles.

Ingleby Barwick and Thornaby Town Council's support the development and there are no objections from other consultees.

The application site is within Flood Zone 3 and the Environment Agency have advised verbally the application is low risk but their formal comments are yet to be submitted.

The proposal is considered to be acceptable in policy terms and also fits with the aims and objectives of the Green Infrastructure Strategy. The applicant has stated that a barrier will be installed at one end of the bridge to restrict use by motorcycles and the Police Crime Prevention Design Advisor has raised no objections and should any issues relating to crime or anti-social behaviour arise they can be dealt with under the relevant legislation.

Subject to confirmation of no objections by the Environment Agency it is considered the proposal is acceptable. In order to ensure the application is decided within the 8 week target date it is recommended that the Planning Committee delegate the decision to the Head of Planning for approval subject to no objections being received from the Environment Agency.

RECOMMENDATION

It is recommended that the Planning Committee delegate the decision of application 14/0066/FUL to the Head of Planning for approval subject to no objections being received from the Environment Agency and the following conditions and informatives:

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

Plan Reference Number	Date on Plan
PLAN 2	28 January 2014
PLAN 1	29 January 2014
PLAN 3	13 January 2014
PLAN 4	13 January 2014

Reason: To define the consent.

Conditions to be Implemented

- 02. Prior to the footbridge hereby approved being brought into use a barrier to prevent the use of the bridge by motorcycles shall be installed. The barrier shall remain in place for the lifetime of the development hereby approved.**

Reason: To ensure a satisfactory form of development

INFORMATIVE

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

SITE AND SURROUNDINGS

1. The application site is located along Bassleton Beck within Thornaby Wood between Ingleby Barwick and Thornaby. The bridge will cross Bassleton Beck which is immediately surrounded by woodland trees, beyond the trees is open space and further afield are residential properties.

PROPOSAL

2. This application seeks permission for the installation of a footbridge across Bassleton Beck. The Countryside and Greenspace Department have submitted the application and have been working with the Forestry Commission to improve existing footpaths linking several areas adjacent to the River Tees, the River Leven and Bassleton Beck. The long term aim in this area is to create a network of paths around the whole of Ingleby Barwick and Thornaby that would form a circular trail in both parts of the Borough.
3. Originally there was a footbridge connecting Thornaby to Ingleby Barwick at Bassleton Beck but following an arson attack the bridge was removed a number of years ago. The proposed relocated footbridge would reinstate this link.
4. The bridge will have an overall length of 8.0m and a deck width of 1.0m. There will be handrails on either side and a barrier will be installed at one end to restrict use by motorcycles.

CONSULTATIONS

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

5. The Environment Agency
Comments to follow

6. Thornaby Town Hall

Thornaby Town Council fully support this application as it links the Thornaby & Ingleby Trails together.

7. Ingleby Barwick Town Council

Ingleby Barwick Town Council has considered all of the plans and information provided in respect of this planning application.

Ingleby Barwick Town Council supports the proposed construction of a new steel footbridge across Bassleton Beck linking Thornaby and Ingleby Trails.

It is requested however, that a condition be included with any planning approval, that provision be made for restricting use by motorcycles etc. A suitable type of gate or some form of restrictive measure to be provided.

8. Northumbrian Water

In making our response to the local planning authority Northumbrian Water will 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.

For information only

I can inform you that NWL have two interceptor sewers which cross the location of the proposed footbridge over Bassleton Beck. These sewers may be affected by the proposed development during construction of the footbridge. Therefore we will be contacting the developer directly in order to establish the exact location of our assets and to ensure any necessary diversion, relocation or protection measures which may be required prior to the commencement of the development are carried out.

9. Head of Technical Services

General Summary

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

Highways Comments

All construction traffic will access the site via gates from Barberry Close and use the hard standing area leading to a Northumbrian Water pumping station. This proposal does not affect any Public Rights of Way (as shown on the definitive map). There are no highway objections.

Landscape & Visual Comments

There are no landscape or visual objections to this application.

10. Tees Valley Wildlife

We have no objections to the proposal.

We were consulted on an adjacent section of path that had possible implications for a badger set, so I know we have checked out the site and did not find any other signs of protected species (water vole or otter) that might be affected by the footbridge.

11. Cleveland Police – Crime Prevention Design Advisor
I have briefly looked at crime and incidents over the past 12 months for this area, there is nothing that would give me reason to be concerned in relation to the planning application.
12. Environmental Health Unit
I have no objection in principal to the application.
13. Councillor Mick Moore
I have no objection to raise and support the application.
14. Councillor I Dalgarno
No comments received

PUBLICITY

Neighbours were notified and comments received are set out below:-

15. Mr Mark Oliver - 35 Thornwood Avenue Ingleby Barwick
I object to this Application

This would be another easy access for off road vehicles, quads and motorbikes to enter Thornaby woods and land close to residential properties.

I consider this to be a safety issue and an accident waiting to happen due to pedestrians, dog walkers, runners and children using the land.

I understand the Green Space team want to make the area a nice area to walk, by creating the circular walk

I am not against this vision, however since the project started, myself and neighbouring properties have had numerous equipment stolen from gardens

I feel more patrols day and night are needed to deal with issues of Thornaby Woods and surrounding areas, this is another reason in support of my objection as this would give another easy access in or out of Ingleby Barwick for the burglars by foot, Motorbike or Quad

16. Mr Michael Harrison - 37 Thornwood Avenue Ingleby Barwick

I wish to object to the proposal of the reinstatement of the footbridge spanning Bassleton Beck on the basis that it will once again lead to an increase in the levels of anti-social behaviours (arson/burglary/illicit use of motor vehicles/general vandalism of the woods and surrounding area) that the residential area has previously suffered. As a resident of the area since the original development began I am all too aware of the crimes that have been committed against properties in the locale due to the ease of access that this facility has provided in the past. The removal of the previous footbridge in the past led to a marked increase in the quality of life of the residents. As the area at present is mostly used by dog walkers for recreational purposes there is no compelling evidence of the need to have any facility to cross Bassleton Beck into the Thornaby area on foot. Observation by local residents show that there is an inadequate quantity of people who have the requirement to be able to cross the Bassleton Beck at this point which leads to the conclusion that the finance to be provided towards this facility could be better employed elsewhere.

17. Mr Alan Tapster - 20 Barberry Close Ingleby Barwick

I wish to object to the above proposal on the basis that it will increase the levels of burglary suffered by the properties adjoining the greenbelt area.

I have lived in the area for 6 years and I understand that the crime levels were much higher in this area when the previous bridge was in place. This gave easy and unobserved access to the rear of the properties adjoining the greenbelt area. I also understand that the previous bridge was removed due to the high levels of burglary suffered by the properties adjoining the greenbelt area.

As there have been no significant social, economic or demographic changes in the area over the previous decade it is reasonable to expect that that if the bridge was to be re-instated the levels of burglary would increase.

There are other reasons why the bridge is undesirable for residents; increased camping and associated noise at anti-social hours in the woods, increased deliberately started grassland fires and increased use by trials motorbikes. I believe all these could be mitigated by increased neighbourhood enforcement patrols and a motorbike-proof bridge.

However, I do not believe that there is any mitigation which would prevent burglaries in the hours of darkness and given the documented historical record of high levels of burglaries with a bridge in situ I would ask that this development is denied. I believe that the potential loss of amenity associated with the denial of this application is on balance significantly outweighed by the increased risk of burglary to the properties adjoining the greenbelt area.

18. Mr George Dobey - 11 Barberr Close Ingleby Barwick

Strongly object to a steel bridge installation as the previous pathway was removed and the farmer ploughed up the field. This was done as it prevented more break ins.

The six properties nearest to the woods were burgled. Seven times our home was broken into in the daytime, whilst out to work or shopping with the result i.e. damage, smashed glass and mess made, being an incomparable sight to find.

An excellent alarm system installed plus a siren all to no avail. The police had no chance to catch the burglars. Washing was taken from the clothes line.

Another pathway is not wanted or welcome here. Many years of extremely hard work, effort and expense has been given to live here and hope never to be in that situation again.

Your letter received has had a complete adverse reaction. The bridge will bring trouble, unrest and anxiety.

19. Mr & Mrs L Ryder - 615 Thornaby Road Thornaby

There has already been a bridge in that position it was used by motorcycle lads, it was taken down. This was all paid for with council money, can you please tell me why you want to put another one when you are crying out you don't have any money.

20. R G Leeson - 613 Thornaby Road Thornaby

I am strongly opposed to the footbridge because

- a) One there once before. Ingleby Residents had removed and the area fenced off to stop anti-social behaviour and quad bikes.
- b) more damage to the woods
- c) Friday night drinking and rubbish left behind
- d) quad bike nuisance in area already
- e) Thornaby Road residents enough upheaval due to the dual carriageway

21. Mr Richard Blackburn - 16 Barberr Close Ingleby Barwick

As a resident of Barberr Close for over 26 Years I must put forward my objection to the construction of the above footbridge. Over the years we as residents of the close have had

to endure vandalism and abuse from youths and adults who were using the previous footbridge and path as a corridor for criminal activity. This access was eventually closed and the footbridge demolished much to the satisfaction of residents, police and Northumbrian Water whose pumping station sustained damage over the years even causing raw sewage to be leaked into the beck/stream. Neither the police or Northumbrian Water want this plan to go ahead and I think Stockton Council should take the common sense plan to not approve.

22. Leonard Walker - 14 Barberry Close Ingleby Barwick

With my experience as the first neighbourhood watch co-ordinator for Barberry Close, I think a steel bridge at the proposed site is a retrograde step when viewed alongside the history of vandalism and upset caused by inconsiderate youths in the past. Many incidents were reported in the early days of this development, not only by residents but also by Northumbrian Water with regard to their pumping station which had a lot of damage done to it. On my own property we had the garden shed broken into and equipment stolen, some of which was later found strewn across the field at the rear of our bungalow. Also graffiti was sprayed all over our fencing.

The police were also called several times to try and catch youths on trial motorbike roaring up and down the strip between Bassleton Wood and Thornaby Road. When the council and residents finally had an on-site meeting and it was agreed to remove the concrete ducting over which the motor bikes were gaining access there was an immediate improvement in all the affected areas which has lasted up until now.

Unless care in planning and steps are taken from the start of your proposed bridge to make it impossible for motor bikes to gain access to the green belt most, if not all the above problems will return.

Please give consideration to the residents who would be affected by the proposed bridge, also the agencies e.g. Northumbrian Water and police. It took a lot of time and effort to reach a solution (which has been working well for several years) please make sure these problems will not reoccur.

PLANNING POLICY

23. 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
24. 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
25. The following planning policies are considered to be relevant to the consideration of this application:-
26. 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.

27. Core Strategy Policy 6 (CS6) - Community Facilities

1. 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.
2. 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.
3. 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.

28. 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.

MATERIAL PLANNING CONSIDERATIONS

29. The main considerations of this application are the principle of the development, the visual impact of the development, the impact on residential amenity, the impact on highway safety and residual issues.

Principle of development

30. Core Strategy Policy 2 - Sustainable Transport and Travel provides support for provision of alternatives to the use of all private vehicles and promote healthier lifestyles. The provision of the bridge is part of a wider project to improve and create a network of paths/access in the area and throughout the Borough which is outlined as an objective of the council's Green Infrastructure Strategy.
31. Core Strategy Policy 6 also provides support for opportunities to widen the Borough's sport, recreation and leisure amenities and it is considered that the bridge together with the wider footpath network does contribute towards this.
32. Taking the above into account the development is considered to be acceptable in principle.

Visual Impact

33. The proposed bridge is located within a wooded area and is also located on land that slopes down towards the beck. Due to the siting of the bridge it will not be highly visible within the surrounding area. The proposed design of the bridge is considered to be visually acceptable and it is not considered there will be an adverse impact on either the character of the area or the existing landscape quality of the wooded area.
34. Furthermore, the Head of Technical Services has stated there are no landscape or visual objections to this application.

Impact on residential amenity

35. There have been 8 letters of representation received from residents who object to the installation of the footbridge.
36. The main reasons for objection relate to the potential use of the bridge by motorcycles and the potential for an increase in burglaries and anti-social behaviour.
37. Some residents state that when there was a bridge across the beck previously there were a number of burglaries and theft and they are concerned that should the bridge be installed and the link between Ingleby Barwick and Thornaby be reinstated in this location that burglaries will increase.
38. The Crime Prevention Design Advisor from Cleveland Police states that having looked at crime and incidents over the past 12 months for this area, there is nothing that would give reason to be concerned in relation to the planning application. It should also be noted that since the previous bridge was in place the access to Barberr Close in Ingleby Barwick has been closed off.
39. The Countryside and Greenspace team have indicated that they have worked closely with Enforcement and Cleveland Police regarding the whole footpath project and have liaised with councillors and residents regarding their concerns and issues. Both Ingleby Barwick Town Council and Thornaby Town Council support for the proposed footbridge.
40. The applicant has confirmed that a barrier will be installed at one end of the bridge to restrict use of the bridge by motorcycles. The installation of the barrier will be controlled via planning condition.
41. Whilst the concerns of residents are noted, it is considered that the use of the barrier will address concerns regarding use of the bridge by motorcycles and the proposal would increase pedestrian movement through the non-residential area and thereby increase natural surveillance. It is therefore considered that there would be no significant undue impact upon residential amenity and should any issues relating to crime or anti-social behaviour arise they would be dealt with under the relevant legislation and agencies.

Impact on highway safety

42. The Head of Technical Services has stated all construction traffic will access the site via gates from Barberr Close and use the hard standing area leading to a Northumbrian Water pumping station. This proposal does not affect any Public Rights of Way (as shown on the definitive map). There are no highway objections.
43. Taking the above into account it is considered the proposal is acceptable in highway terms.

Residual issues

44. The application site is located within Flood Zone 3 and a Flood Risk Assessment has been submitted. The Environment Agency has been consulted and although it has been stated the proposal is low risk as yet no formal comments have been received and it is therefore recommended the application be delegated to the Head of Planning for decision and approved within the 8 week target date subject to no objections being received from the Environment Agency.
45. With regard to the impact on wildlife habitats, Tees Valley Wildlife has been consulted and raises no objections to the proposal.
46. A resident also raised concern that Northumbrian Water should be consulted on the proposal. Northumbrian Water raise no objection but state that there is apparatus in the area that may be affected by the proposed development during construction of the footbridge. Therefore Northumbrian Water will be contacting the developer directly in order to establish the exact location of the assets and to ensure any necessary diversion, relocation or protection measures which may be required prior to the commencement of the development are carried out. These comments have been forwarded to the applicant.

CONCLUSION

47. The proposed footbridge is considered to be acceptable in terms of the visual impact and it is not considered that it will result in a significant detrimental impact upon the amenity of neighbouring land users. Furthermore it is not considered that the development will result in any adverse impact upon highway safety. Therefore it is considered that the proposal is in accordance with policies CS2 and CS6 of the Adopted Stockton on Tees Core Strategy
48. It is recommended that the Planning Committee delegate the decision of application 14/0066/FUL to the Head of Planning for approval subject to no objections being received from the Environment Agency.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Miss Ruth Hindmarch Telephone No 01642 526080**

WARD AND WARD COUNCILLORS

Ward **Village**
Ward Councillor **Councillor I J Dalgarno**

Ward **Village**
Ward Councillor **Councillor Mick Moore**

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.

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.