

DELEGATED

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

14/0078/FUL

**Billingham Community Centre Car Park The Causeway, Billingham
Revised application for construction of retirement housing development comprising thirty-eight flats with communal facilities, external landscaping and parking.**

Expiry Date 15 April 2014

SUMMARY

The application site is situated on the corner of Roseberry Road and the Causeway and is currently utilised as a public car park. The residential properties of Roseberry Road, Sidlaw Road and High Grange Cottage all lie to the west of the application site.

Members may be aware that a need for additional Extra Care Housing provision within the Billingham area was originally identified as part of the larger Integrated Health and Social Care project, unfortunately the required PFI credits were not gained. Cabinet approval was then obtained for the disposal of the application site for the purposes of a mixed tenure extra care housing scheme to the Vela Group, this however was refused by the Planning Committee in January 2013. Following on from the committee meeting, officers from both the Planning and Housing departments met with representatives of Vela to work towards achieving a way forward, albeit on a new 'care ready' model. These discussions have led to the current scheme before Members.

This application seeks planning permission for a 'Care Ready' Retirement housing development of 38 flats. It will provide 14 one and 24 two bedroom self-contained units along with associated landscaping and parking provision. In addition, it is proposed that 28 (74%) would be made available for affordable rent, 5 (13%) on a shared ownership basis and 5 for sale on the open market.

The proposed retirement housing not only offers a significant boost to the Boroughs 5 years housing land supply, but also provides a much needed care facility for the Borough's changing demographics and what is an aging population. Furthermore, the proposal offers a significant amount of affordable housing provision, well above the Council's minimum requirement of 15%, all of which are significant material planning considerations that weigh in favour of the proposed development. The scheme is also considered to have addressed the reason for refusal of the earlier scheme as it is considered to be acceptable in all other respects, including its visual impact and the impact on the amenity of neighbouring occupiers, highway safety and public safety and is therefore in accordance with the Development Plan policies and the National Planning Policy Framework.

RECOMMENDATION

That planning application 14/0078/FUL be approved subject to the following conditions and informative;

Approved Plans;

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

Plan Reference Number	Date on Plan
SK-600 REV A	19 February 2014
2012037 - 005 - REV B	14 January 2014
SK-601	14 January 2014
SK-602	14 January 2014
SK-603	14 January 2014
SK-604	14 January 2014
SK-605	14 January 2014
L-01	14 January 2014

Reason: To define the consent.

Materials:

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

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

Means of enclosure:

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

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

Site and floor levels:

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

Reason: To define the consent

Soft landscaping works:

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

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

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

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

- Hard landscape details;**
07 ***Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (e.g. incidental buildings and street furniture).***

Reason: In the interests of visual amenity.

- Tree Protection measures;**
08 ***Details of a scheme in accordance with BS5837, 2005 to protect the existing trees and vegetation shall be provided to the satisfaction of the Local Planning Authority. Such a scheme shall include details of a protective fence of appropriate specification extending three metres beyond the perimeter of the canopy, the fence as approved shall be erected before construction commences and shall be maintained to the satisfaction of the Local Planning Authority throughout the entire building period.***

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

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

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

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

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

11 Cycle parking

Prior to commencement of the development hereby permitted, details of all cycle parking provision (including secure covered cycle storage for staff) shall be submitted in writing to the Local Planning Authority for consideration and approval. The approved scheme shall be implemented in full and those facilities available for use of the hereby approved extension.

Reason: To ensure the provision of facilities to enable the use of sustainable forms of transport.

12 Servicing, refuse and recycling:

Notwithstanding the details submitted as part of the application and prior to the occupation of the development, details of the servicing arrangements, refuse and recycling facilities and on-going management shall be submitted to and approved in writing by the Local Planning Authority and be implemented in accordance with these agreed details.

Reason: In order that the Local Planning Authority may exercise further control in the interests of the visual amenity of the area and amenity of adjoining and future occupiers.

Construction Activity:

13 *No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00 a.m. on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).*

Reason; To avoid excessive noise and disturbance to the occupiers of nearby premises.

Unexpected land contamination:

14 *In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.*

Reason: To ensure proper restoration of the site.

Renewable energy production and Sustainable construction:

15 *Details of a final scheme for the incorporation of renewable energy production technologies and sustainable construction methods to meet BREEAM assessment criteria and 10% of the buildings energy requirements, in accordance with the recommendations of the submitted 'low and zero carbon technology feasibility study' shall be submitted to and agreed in writing by the Local Planning Authority prior to occupation. The building shall be constructed in accordance with these agreed details.*

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

Age Restriction (under 55's):

- 16** *The development hereby approved shall only be occupied by persons where at least one member of a single household is aged 55 or over (the qualifying occupier) with the exception that such restriction shall not apply to the continued occupation of the dwelling by a surviving spouse, partner or member of the household under the age of 55 after the death of the qualifying occupier, subject to that person having previously lived with the qualifying occupier as part of a single household.*

Reason: To allow the Local Planning Authority to retain control over the development

INFORMATIVE OF REASON FOR PLANNING APPROVAL

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

BACKGROUND

1. Members may be aware that a need for additional Extra Care Housing provision within the Billingham area was originally identified as part of the larger Integrated Health and Social Care project. Unfortunately the Council was unsuccessful in gaining the required PFI credits, which in addition to the Integrated Health Facility would have included the development of a 50 unit two-bedroom Extra Care scheme.
2. At the time of the original Integrated Health and Social Care project, it was identified that that it would not be possible to locate the Joint Service Centre and Extra Care housing on one site, therefore two separate sites would be required. As a result a total of 11 sites across Billingham were considered. These sites were considered to be unsuitable for a variety of reasons which included for example site availability/ownership, site constraints such either being too small, problems with access or as a result of Planning concerns (primarily being based around land being classed as open space) and proximity to other local services. The only two sites considered viable at that time were this application site and the former Derwent House site at Low Grange Avenue (a site not within Council ownership). In 2012 planning permission was granted for an affordable housing scheme of 12 bungalows and 6 houses (ref; 12/0647/FUL) which is largely complete and the site is no longer available. In any case the application site met all the required criteria in that it was close to Billingham Town Centre, had good access and posed no significant planning issues (subject to the replacement of the car). It was therefore the preferred location, which led to a development brief being written for the site.
3. Following the collapse of the PFI bid, a report gained Cabinet approval (29th November 2012) for the disposal of the application site for the purpose of a mixed tenure extra care housing scheme (subject to planning approval). The recommendation also included support for replacement parking provision on a 'like for like' basis on land to the rear of Billingham Community Centre. Cabinet's reasoning for this decision was on the basis of addressing the housing, health and social care needs of older (and vulnerable) people within the Borough.
4. Consequently Vela Homes put forward a planning application for an extra care housing development comprising fifty-two, two bedroom and four, one bedroom apartments with communal facilities, external landscaping and parking (ref; 12/2500/FUL). This Extra Care housing application was refused contrary to officer recommendation by planning committee in January 2013 on the following grounds.

In the opinion of the Local Planning Authority the proposed development is contrary to Core Strategy Policy 8 (CS8) 3 - Housing Mix and Affordable Housing Provision in that the specific higher density proposed for this development is not considered appropriate

having regard to the impact on the character of the area, the loss of residential amenity due to the overbearing nature of the development and the loss of public car parking.

A separate application for provision of a replacement car park (ref; 12/2951/FUL) was also withdrawn following this decision.

5. Following on from the committee meeting, officers from both the Planning and Housing departments met with representatives of Vela to discuss the committee decision and work towards achieving a way forward, albeit on a new 'care ready' model. These discussions have led to the current scheme before Members.
6. On the 3rd October 2013 Cabinet again gave approval for the disposal of the application site for the provision of a mixed tenure 'Care Ready' retirement housing scheme and for the replacement 'like for like' car parking to the rear of Billingham Community Centre along with some additional funding. Again Cabinet's reasoning for its approval was on the basis of addressing the housing, health and social care needs of older (and vulnerable) people within the Borough. Following on from this, Council were asked to consider the additional capital resource requirements for the like for like' car parking provision, which was approved (6th November 2013).
7. Members may will also note that a separate planning application for a replacement public car park with associated landscaping (ref;: 14/0093/FUL) is to be heard at this same planning committee as the proposal of this 'care ready' scheme.

SITE AND SURROUNDINGS

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

PROPOSAL

9. Planning permission is sought for the creation of a 'Care Ready' Retirement housing development of 38 flats. It will provide 14 one and 24 two bedroom self-contained units along with associated landscaping and parking provision. The proposed accommodation will include assisted bathrooms; staff/office accommodation and communal lounges and hobby areas for residents.
10. The proposed building will be of a contemporary design incorporating a mixture of brickwork and coloured renders. The scale of the proposal is predominately 2 storeys with a central section reaching three storeys in height. Access is taken from a widened access from The Causeway with the associated car parking situated behind the building in the north-western area of the site.
11. The proposal can no longer be classed as 'Extra Care' housing given that much of the resident's facilities such as bistro/café and on site ancillary services such as a small shop or hairdressers are no longer included. The scheme is therefore classed as 'Care Ready', meaning that each resident will have access to care and housing related support services which will be able to adapt quickly should individual care needs change. This would be 'Dementia friendly' and achieve similar aims to that of 'Extra Care' housing in that it will allow

for older residents to maintain a degree of independence, thereby preventing the need for accommodation and care in a care home environment. In addition, it is proposed that 28 (74%) would be made available for affordable rent, 5 (13%) on a shared ownership basis and 5 for sale on the open market.

12. This revised scheme is estimated at costing approximately £3.5million and Vela homes have successfully secured £366,000 from the Homes and Communities Agency (HCA) 'Affordable Homes Rent Guarantee Programme'.
13. Following a request from the Head of Technical Services a revised plan detailing additional parking spaces for the development along with additional landscaping in the north western corner of the development has also been received.

CONSULTATIONS

14. The following Consultees were notified and comments received are set out below;

Head of Technical Services

General Summary

Subject to the comments/amendments below the Head of Technical Services raises no objections.

Highways Comments

Re: amended plan SK-600 REV

This proposal is for Care Ready over 55s accommodation as detailed in the submitted Design and Access Statement. Due to the sustainable location of the site, being close to Billingham Town Centre and good public transport links, it is considered that the SPD3: Parking Provision for Developments town centre standard for sheltered housing category 2 plus visitor parking is appropriate in this instance. Therefore 25 incurtilage car parking spaces should be provided; 0.5 spaces per unit plus 1 visitor space per 6 units with 10% being suitable for disabled users. This has been shown on the amended plan.

The proposed metal rail fence will not affect visibility at the access from The Causeway. The proposed signboard will not affect visibility.

Subject to a condition limiting occupation of the units to the over 55s there are no highway objections.

Landscape & Visual Comments

There are no landscape objections to the development. The existing trees that need to be removed, that is T4-T7 Ash and T12 Chestnut, to accommodate the development are all lower quality C grade trees that can be replaced within the scheme. Any works within the root protection areas of the retained trees must conform with the tree protection plan as requested in the condition in the informative section below. There is no objection to the use of a 1.5 m high railing along the entire street frontage and the design of this should complement the existing railing that segregates the footpath from the road. The use of a 1.8m high close boarded timber fence is considered acceptable to enclose the rear garden space and car park given the planting screen shown on plan ref SK-600. New shrub and tree planting should be used to soften the views of the building from the road as indicated on the perspective drawing ref 3904/SK-605. Planting should also be used on the full western site boundary to soften views of the development from the existing houses in Sidlaw Road. The grass strips around proposed car park are to narrow and should be planted hard surface allowing for a vehicle

overhang. Subject to detail the use of paving for the footpaths and patios is considered acceptable.

Condition wording is provided in the informative section below.

Landscaping - hardworks

Existing and proposed levels

Enclosure

Street furniture

Lighting

Tree protection

Landscaping - softworks

Maintenance- softworks

Built Environment

The building is appropriately placed within the site and demonstrates good contextual scale and massing. The proposed building height along the frontage of Roseberry Road integrates well with the height and form of the existing 1930's semi-detached housing whilst still providing an architectural design that reflects its prominent site location. A number of existing mature trees are proposed to be retained and will help to set the new building into its setting. The Head of Technical Services supports this application in relation to the Built Environment.

Environmental Policy

The LZC report suggests achievement of 10% carbon emissions reduction will be marginal. A percentage of renewable energy supply, either PV or solar thermal or a combination is required to meet the requirements of Core Strategy CS3.

Flood Risk Management

Any SUDS system on the site will need to be maintained by the management company to ensure the system functions correctly in the future. This is to reduce the risk of surface water flooding.

Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend the advisory conditions as detailed be imposed on the development should it be approved.

- Construction Noise
- Unexpected land contamination

Northern Gas Networks

No objections

Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development.

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 NWL have the following comments to make:

NWL have provided the developer with a pre-development enquiry response dated 28th August 2012. In this response, we stated that an estimated foul flow of 2.75 l/sec could discharge

unrestricted to the 300mm combined sewer at manhole 5801. A maximum surface water discharge of 20 l/sec can be accommodated in the existing 300mm combined sewer at manhole 5801 with any additional flows to be attenuated on site.

NWL would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Statement - Rev A". This document reflects our requirements for foul and surface water discharge made in our pre-development enquiry response.

We would therefore request that the flood risk assessment form part of the approved documents as part of any planning approval and the development to be implemented in accordance with this document.

I trust this information is helpful to you, if you should require any further information please do not hesitate to contact me.

Adult Strategy

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

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

Head of Housing

The Strategic Housing Market Assessment (SHMA) 2012 has identified an annual affordable housing need in the borough of 560 units, with the majority of need being for smaller properties.

The SHMA 2012 also identified that 8.1% (6,327) of households in the area said that they required care or support to enable them to stay in their current home. The 2001 Census identified 35,504 residents in the borough (19.9%) who stated they had a disability or limiting long term illness.

The SHMA 2012 findings show that the majority of older people (62.2%) want to stay in their own homes with help and support when needed. The study identified interest in a variety of older persons accommodation with 15.4% interested in renting extra care accommodation, 6.2% buying extra care accommodation and 3.2% part buy & part rent extra care housing. This evidence suggests a need to continue to diversify the range of older persons housing provision.

The population in Stockton on Tees is ageing and in 2011 it had an estimated population of 30,000 people aged 65 or over. This population is forecast to grow by 25% in the next 10 years. By 2025, it is projected that 1 in 5 adults in the Borough will be over 65 years of age. Increasing numbers of older peoples specifically the more 'frail' elderly will place an increasing demand on social, health and housing services.

Core strategy Policy 8 (CS8) – Housing Mix and Affordable Housing Provision states:

Affordable housing provision within a target range of 15 – 20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more.

Offsite provision or financial contributions instead of on site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere.

We note from the Planning Policy Statement that the developer is committed to delivering affordable housing on the site and is proposing a development of 38 units, of which 28 units (73%) will be provided for affordable rent. This greatly exceeds Council policy target range and will make a significant contribution towards addressing much needed housing provision for older people in the Borough. In light of this Housing Services would very much support this application.

Space standards – the Council would expect all affordable housing units to comply with Homes and Communities Agency space/quality standards.

Stockton Police Station - Eddie Lincoln

No further comment to previous application.

Spatial Plans Manager

Thank you for consulting the Spatial Planning team on this application. As you will be aware section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission be determined in accordance with the Development Plan unless the material considerations indicate otherwise.

This response focuses on the key spatial, housing and economic planning policy issues which relate to the application.

The Development Plan - overview

The development plan currently comprises the following elements:

- Stockton-on-Tees Core Strategy LDD (March 2010),
- Saved policies of the Stockton-on-Tees Local Plan (1997)
- Saved policies of the Local Plan Alteration Number One (2006), and
- The Tees Valley Joint Minerals and Waste LDD (September 2011).

The application site is within the defined limits to development and does not have any protective designation.

Background

The Council cannot demonstrate a 5 year supply of housing land. This means to the presumption in favour of sustainable development is engaged and the tests set out in NPPF paragraph 14, namely that the application should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole

Assessment - The benefits of the proposal

The proposal would boost the supply of housing and assuming that delivery begins within a five year timeframe it would contribute towards achieving a five year supply of deliverable housing sites.

Point 1 of Core Strategy Policy 8 Housing Mix and Affordable Housing Provision states that developers will be required to provide a mix and balance of good quality housing of all types and tenures in line with the Strategic Housing Market Assessment.

The 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) identifies that over the next few decades, the age profile of residents in the Tees Valley is expected to change dramatically due to an ageing population.

The proposal would provide retirement housing and thereby make a contribution towards ensuring that a range of options is available to meet the housing needs of the ageing population which the TVSHMA identifies.

The site is close to Billingham Town Centre which has a range of shops and facilities and has good public transport links. This is particularly relevant in the context of the age profile of the intended residents. Point 1 of Core Strategy Policy 2 Sustainable Transport and Travel, states that accessibility will be improved if new development is well serviced by public transport.

The proposal is consistent with Core Strategy Policy 2 and Core Strategy Policy 8. In the context of the sustainable location and assisting in meeting the housing needs of an ageing population, it would contribute to achieving sustainable communities.

The possible adverse impacts

The proposal would involve the loss of Billingham Community Centre Car Park. As you are aware there is a Council resolution to dispose of this asset, subject to the alternative provision being made available. It is understood that a proposal for alternative provision is currently under consideration.

Summary

The proposal offers benefits in the context of meeting housing need and demand and has the potential to contribute towards achieving a five year supply of deliverable housing sites. The Spatial Planning team has not identified any conflict with the Development Plan. Proposals which accord with the Development Plan should normally be approved without delay.

If the case officer concurs that the proposal is consistent with the Development Plan then the engagement of paragraph 14 of the NPPF may be considered unnecessary in assessing the application. However, for the purpose of comprehensiveness the Spatial Planning team have not identified any adverse impacts that outweigh the benefits associated with the proposal.

Billingham Town Council

The revised planning application for construction of the retirement housing development comprising thirty-eight flats with communal facilities, external landscaping and parking, location Billingham Community Centre Car Park was discussed by members at our Town Council meeting held last night (24th February 2014). Members do not object to this proposal.

Health and Safety Executive

The Health and Safety Executive do not advise on safety grounds against the grant of planning permission in this instance.

PUBLICITY

15. Letters were sent to neighbouring residents and the application was advertised through a site notice and press advert. A total of 16 letters of objection, 1 letter of representation and 1 letter of support have been received. These are sent out in summary in the report below;

Objections;

- Out of keeping with surrounding area / surrounding area is all traditional not a new Town Centre development
- Building will be in wrong place

- Traffic is already bad enough
- Loss of highly visible car park will lead to parking problems around town centre and local streets
- Car park is always full/well used, particularly by disabled persons
- Existing parking is needed where it is.
- New parking is isolated and unsafe, particularly at night
- Roseberry Road is very busy and cannot accommodate more parking
- Alternative sites should be considered –Corner of Marsh House Av. and Rievaulx Av. / site of new car park (specifically mentioned)
- Concerns over impact on trees from new parking area
- Potential for falling branches on cars within new parking area
- Traffic volume and noise detrimental to persons in development
- Too close to the corner of the Causeway and Roseberry Road for people to cross
- Loss of light to properties behind
- No meetings or information on revised proposals/lack of consultation in Billingham
- May make drivers go elsewhere – a big loss to the Town Centre
- Need for retirement housing cannot be essential that it needs to replace well used car park.
- Loss of property value
- Waste of taxpayers' money to replace car park for 38 residents
- Port Clarence is being isolated though the withdrawal of the buses, money could have preserved this and other services
- Such developments should be built by Housing Developers -

Objectors:

Mr Chris Clough - 181 Whitehouse Road Billingham

Mrs B Smith - 12 Yenton Close Billingham

A Parry - High Grange Cottage Roseberry Road

A Cammeron - 12 Roseberry Road Billingham

Owner/occupier - 5 Maria Drive Stockton-on-Tees

Mrs A Hitch - 46 Brentford Road, Norton

Mrs C M Parkin - 14 Roseberry Road Billingham

Mrs Amanda Pearson (via Vela Group)

P Hutchinson - 3 Lammermuir Road Billingham

D Harrison - 30 Roseberry Road Billingham

Mr and Mrs Phillips - 15 Sidlaw Road Billingham

John Shucksmith - 43 Sidlaw Road Billingham

Patrica Vaughan - 4 Sidlaw Road Billingham

Mr David Mineham - 38 Roseberry Road, Billingham

Mrs Susan Williamson - 80 Grosvenor Road Billingham

Mrs Helen Atkinson - 72 Grosvenor Road, Billingham, Stockton-on-Tees TS22 5AW

General comments

- Comments relating to the history of the car park facility and whether the project should be held in abeyance until the future of all Town Centre Car parking areas are known
- Car park would create 'brownfield' site which could lead to continual building on Town Centre car parks
- New car park will be visually screened by the development
- Concerns over highway/pedestrian safety
- Care Ready scheme will be run as a business not a private dwelling

Contributor

William Stott 30 Sidlaw Road Billingham

Support comments:

- Much needed facility in Billingham
- Central and convenient for Town Centre
- Convenient for classes in Community Centre
- Good access to Hartlepool, Stockton and Middlesbrough via No.36 (which is 'Low Line' with good access for wheelchairs)

Supporter:

Eleanor Mockler - 2 High Grange Avenue Billingham

PLANNING POLICY

16. 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.
17. 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
18. The following planning policies are considered to be relevant to the consideration of this application:-

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

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.
Further guidance will be set out in a new Supplementary Planning Document.

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

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

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

5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.

8. Additionally, in designing new development, proposals will:

- _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

9. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

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

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

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

Core Strategy Policy 11 (CS11) - Planning Obligations

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

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

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

Saved Policy HO3

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

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

Saved Policy EN38

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

National Planning Policy Framework

19. 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.

20. The sections of the NPPF relevant to the determination of this application include;

Section 1. Building a strong, competitive economy

Section 2. Ensuring the vitality of town centres

Section 4. Promoting sustainable transport

Section 6. Delivering a wide choice of high quality homes

Section 7. Requiring good design

Section 8. Promoting healthy communities

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

MATERIAL PLANNING CONSIDERATIONS

21. The main planning considerations in respect of this development are; compliance with planning policy and the impacts of the proposed development on; the character of the area; the impact on levels of residential amenity; access and highway safety; public safety and other matters arising out of public consultation.

Principle of development;

22. The general ethos of the National Planning Policy Framework (NPPF) is to promote and encourage development that accords with the definition of sustainable development (made up of three components; social; economic; and environmental). The NPPF places a strong emphasis on a number of core planning principles, one of which states that the planning system should 'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'.

23. Paragraph 47 of the NPPF, sets out a need to 'boost significantly the supply of housing' and for Local Authorities to maintain a supply of five year housing supply. The five year housing supply assessment for the Borough currently stands at 4.37 years (with a 20% buffer added). Consequently the Council cannot demonstrate a 5 year supply of housing land and the Council's housing supply policies are therefore out of date. This proposal must therefore be assessed in relation to the presumption in favour of sustainable development and the tests set out in NPPF. Paragraph 14, in particular states that the application should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

24. More specific to this application, Paragraph 50 encourages a wider choice of high quality homes along with wider opportunities for home ownership. It goes on to make reference to the need to create inclusive and mixed communities, where there a mix of housing based on current and future demographic trends and the needs of different groups in the community, including older persons and people with disabilities. Policy CS8 of the Core Strategy complies

with this approach as it requires developers to provide a mix and balance of good quality housing of all types and tenure. Furthermore, CS8(10) specifically states that 'the Council will support proposals that address the requirements of vulnerable and special needs groups.

25. The application site lies within the limits to development and has no specific land use designation or allocation through the adopted Local Plan, though outside of the 'Core Area' the site lies within the Billingham housing sub-region and is ideally situated to Billingham Town Centre which has a good range of shops and services to meet with day to day needs. The site is therefore considered to be in a suitable location for a higher-density development such as that proposed.
26. In terms of the type of housing proposed and the need for retirement housing the 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) identifies that over the next few decades, the demographics of the Borough and the Tees Valley will change, particularly with regards to an ageing population. It sets out that in 2011 an estimated 30,000 people were aged 65 or over and that this is predicated to rise by 25% in the next 10 years. Consequently, increasing numbers of the 'frail' elderly will place an increasing demand on social, health and housing services. Furthermore, the SHMA 2012 findings show that the majority of older people (62.2%) want to stay in their own homes with help and support when needed. The proposed scheme through providing retirement housing within a 'care ready' environment will therefore not only provide an alternative type of housing provision that is needed, but also one which would also help to cater for the needs of an ageing population. It will also provide on-site support to meet those individual care needs whilst still allowing for the opportunity for independent living. The Council's Adult social care section is also supportive of housing that addresses social housing needs and the principle of alternative housing provision is considered to accord with planning guidance within both the NPPF and the adopted Core Strategy.
27. In terms of Affordable housing provision, Policy CS8 sets out a target range of 15 – 20%, the supporting information sets out that the developer will provide 28 units (74%) for affordable rent, whilst the remaining 10 units will be split equally through shared ownership and open market housing. This is well in excess of the Council's minimum requirements and will make a significant contribution towards addressing much needed affordable housing provision for older people in the Borough. Alongside the boost to the overall 5 year housing provision, this is also a significant material planning consideration which weighs strongly in favour of the proposed development.
28. It is noted that many of the objections received are concerned about the loss of the existing public car parking facility and many comments have been made in relation to its usage and visibility. However, surveys of the Car park in 2012 concluded that its usage reached only a maximum 58% of its capacity and consequently Cabinet members supported the proposal for disposal of the site with 'like for like' car parking. A further Cabinet resolution to dispose of the car park to Vela for this retirement housing scheme (subject to planning approval) was also gained in October 2013 with a Council resolution to provide the appropriate funding to secure a replacement car park facility to the rear of the Community Centre being secured in November 2013. The existing car park site currently provides 87 spaces and the new parking facility will provide 92 spaces. In addition it would be built to the Council's own standards and would include street lighting and CCTV which would be monitored by the Council's surveillance centre. This is subject to a separate application (ref 14/0093/FUL) currently under consideration at this committee meeting and the relevant material planning considerations are set out within that report.
29. In terms of providing the proposal on alternative sites, it is noted that specific reference has been made to two sites by the objectors. This includes the site on the corner of Marsh House Avenue and Rievaulx Avenue and the site for the replacement car parking. There is no requirement under planning policy to consider alternative sites for a development of this nature

and this application must be assessed on its own merits and against the material planning considerations laid out within this report.

30. As set out within the Background to this application (paragraph 2), a total of 11 sites across Billingham were considered for the original PFI extra care housing scheme. The application site met all the required criteria at that time and was the preferred location for such accommodation. In addition different sites have also been given consideration by the applicants and it has not been possible for them to identify suitable or viable, alternative locations within the Billingham area. Whilst the two suggested sites are noted, placing the retirement housing on the site of the proposed car park would result in development being brought closer to residential properties, require a much greater land take and consequently there may be issues in replacing the lost playing field space. This site has not been considered appropriate as a result. The site on Rievaulx Avenue was originally considered as part of the PFI Extra Care site and was discounted. It is identified as part urban open space and part outdoor play space both designations are protected under Core Strategy Policy CS10 and saved policy REC1 of the Local Plan which would generally seek to prevent development upon these sites. Consequently there are not considered to be suitable for a development of this scale and nature.
31. Policy CS8(3) sets out an average density range of 30-50 dwellings per hectare and highlights Billingham as a location where higher densities may be appropriate subject to considerations of character. The proposed density of the scheme is approximately 73 dwellings per hectare, and the application site is located 100m (at nearest) from Billingham Town Centre, providing access to local shops and services. Public transport is also available within the immediate vicinity to the locations across the Borough and beyond. It is therefore considered that the site is in both a sustainable and suitable location for a high density development and is consistent with the sustainability objectives set out by central government within the NPPF, Core Strategy Policy CS2(1) and the adopted SPG on high density developments.
32. The applicants have provided reports as part of the planning submission will regards to sustainable energy production and sustainable construction methods. Given that much of the final scheme has yet to be finalised it is considered reasonable to impose planning conditions to ensure that the requirement for both these elements are fully provided for, this is achieved through condition 15.
33. The development of this 'Care Ready Retirement Housing' scheme is anticipated to be in the region of £3.5million, which is a significant investment within the Borough, and would bring forward some job creation during construction as well as support companies whom are supplying materials to the construction trade.

Summary of policy considerations

34. The application site lies within the limits to development and has no specific land use designation or allocations and with its close proximity to Billingham Town Centre has a good range of shops and services to meet with day to day needs and is a suitable location for a higher-density development. The type of housing proposed will provide an alternative type of housing provision that is in short supply and would allow the opportunity for independent living, such provision accords with planning guidance within both the NPPF and the adopted Core Strategy.
35. Approval of the scheme would boost the supply of 5 year housing land and provide affordable housing well in excess of the a target range of 15 – 20% set out in Policy CS8 these are significant material planning consideration which weigh strongly in favour of the proposed development. Furthermore, the proposal provides an investment of over £3.5 million into the local economy and will result in additional benefits such a construction jobs and other benefits for those who are involved in the construction industries supply chain.

36. In view of the above consideration, the principle of a retirement housing scheme on the site is considered to be acceptable subject to those material planning considerations set out in the report below;

Visual impact/character of the area;

37. Whilst the concerns and objections of the neighbouring residents, with respect to the proposed building being out of keeping are noted, it is considered that there is no distinctive character which would require a specific type of design. The immediate locality has a mix of building styles and designs, including the more traditional residential properties fronting onto Roseberry Road and Sidlaw Road, to more modern residential properties (to the east of the community centre) and the 1960's architecture within Billingham Town Centre. In terms of building scale, the surrounding residential properties are of a two storey scale whilst those structures associated with Billingham Town Centre contain a wider variety, ranging from single storey to 15 storeys in height (Dawson House). The more common building materials consist of brickwork, render and roofing tiles.

38. This revised scheme has reduced the overall scale of the proposed development to a predominately 2 storey development with a central section of 3 storeys. The design and layout of the building helps mitigate its impacts by keeping the lower sections to the more sensitive areas which is considered to sit well against the neighbouring 2 storey properties, which includes the neighbouring dwellings of Roseberry Road and the adjacent community centre. Its overall scale is therefore considered to be appropriate.

39. Whilst the proposal retains its contemporary design the use of materials has been revised to better reflect those most prominent within the area. Particularly with regards to the incorporation of red brickwork which helps to better integrate the scheme into the surroundings. The final colour of the render has yet to be formally agreed and such details could be conditioned for final approval. In view of the range of building styles and lack of a single distinctive character within the immediate area, the proposed design is considered to be appropriate in its approach and judged not to have a detrimental impact on the character of the surroundings.

40. Although the proposal retains its central location within the site, its reduced scale provides a greater sense of space around the building. At closest the development will be 3 metres from the footpath on Roseberry Road (two storeys) and 7 metres from The Causeway (3 storeys) which is considered to be sufficient to allow for appropriate boundary treatments (1.5m high metal railings) and the associated soft landscaping.

41. The revised scheme now also allows for the retention of the 3 trees in the southwest corner (adjacent to High Grange Cottage) along with the 3 trees which front onto the Causeway. Where previously only 1 of these trees would have been retained, the two trees outside of the site boundary are also retained. Although some trees will need to be removed to accommodate the development, these are all C grade trees which could be replaced as part of a landscaping scheme. New shrub and tree planting is also required and can be secured through a planning condition, this should include planting to soften the views of the building from the roadsides and be provided along the western site boundary to soften views of the development from the existing houses in Sidlaw Road.

Residential Amenity;

42. The property nearest to the application site is High Grange Cottage, which lies to the west of the proposed development. This dwelling is situated approximately 25m metres from the proposed building and has a gable bedroom window facing onto the application site. The distance between this property and the retirement housing scheme is in excess of the Council's minimum distance of 21 metres and is considered to be sufficient enough to ensure that

satisfactory levels of residential amenity are preserved for the occupants of this property and the proposed development will not result in a significant loss of daylight or privacy nor would it be overbearing upon these residents.

43. The side elevation of No. 33 Roseberry Road is situated approximately 28m from the side elevation of the proposed development. No habitable room windows exist in the side elevation of this dwelling and given the distance between this property and the proposal it is not considered that there will be any significant loss of residential amenity to this property in terms of daylight, privacy or appearing overbearing. The properties on the opposite side of Roseberry Road, facing the application site are in excess of 30 metres from the development and again it is not considered that these residents would suffer from any significant loss of residential amenity.
44. The residential properties that front onto Sidlaw Road all benefit from separation distances in excess of 50 metres from their rear elevations to the rear of the proposed development. This is well in excess of the minimum 21m habitable room to habitable room guidance and even at a height of three storeys it is not considered that the proposed development would have any significant impact on levels of residential amenity so as to justify a refusal of the application.
45. No. 4 Lammermuir Road is situated approximately 25 metres from the side elevation of the proposed development. Again this distance exceeds the Council's minimum standard of 21 metres and would not result in any significant loss of privacy or daylight to residents of this property. Nor would it justify a refusal of the application on grounds of being overbearing.
46. The proposed development includes a large communal garden area to the west of the main building, along with other open spaces that surround the building. Sufficient landscaped areas will therefore exist for both formal and informal recreation and provide an appropriate landscaped setting, thereby ensuring the proposal is not an over-development of the site.
47. Planning conditions can be imposed over the hours of construction activity to preserve a reasonable level of amenity for the surrounding residents and to also ensure that living room and bedrooms do not suffer unsatisfactory noise from the adjacent highways.

Access and highway safety;

48. The Head of Technical Services has considered the proposed development and note it proposes accommodation for retirement housing. The application site is also considered to be within a sustainable location given it lies within close proximity to the services provided within Billingham Town Centre which includes shopping, leisure and public transport services. Consequently it is considered that 25 incurtilage car parking spaces should be provided. These are provided on the submitted amended plan, which is considered acceptable.
49. The vehicular access into the application site would utilise the existing community centre/car park access which is considered to be acceptable. Widening of the access is indicated at the junction with The Causeway and the applicant would therefore need to enter into a Section 278 agreement for any alterations.
50. Several objectors have been raised as a result of the loss of car park currently present on site. A separate application (ref 14/0093/FUL) for replacement provision is included within the agenda for this planning committee and proposes a total of 92no. Long stay parking spaces behind the existing community centre. This application is considered to be acceptable from the planning perspective and is recommended for approval, all the relevant material planning consideration in respect on that application can be found within the relevant report.
51. In view of the above and whilst the concerns of the objections in respect of traffic, highway safety and parking issues are noted, it is considered that the proposed development is

satisfactory in all respects and does not pose any significant threat to highway safety subject to a planning condition restricting its occupation to over 55's.

Public Safety;

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

Residual issues;

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

Planning obligations;

54. The Councils Open Space, Recreation and Landscaping SPD sets out that for all new developments a contribution to offset any increased demand from new residents may be required towards off-site provision of open space, landscaping and recreational facilities. Whilst 'care ready' retirement housing is not specifically referred to within the document it aims to provide housing that enables people to maintain independence through incorporating elements of care and other services. In effect this means that the facility would operate somewhere between sheltered accommodation and a nursing home and in this particular instance it is not considered that a commuted lump sum towards open space and recreation provision could be justified.

Community Safety Implications:

55. Section 17 of the Crime and Disorder Act 1998 places a duty on the authority to consider the crime and disorder implications of the proposal. The proposal is a residential development and the grounds will benefit from a degree of natural surveillance. Various means of enclosure will help to secure the site and an on-site presence by staff should ensure an acceptable levels of security for future residents. The proposal is has been designed to achieve Secure by Design standards and the Police's Architectural Liaison Officer has no comments beyond those made on the previous scheme. These primarily related to specific specifications or internal arrangements of certain features such as lighting, doors and windows, computers and telephone lines, the inclusion of which would be a separate matter for the applicant. Given the above, the proposal is considered to be in in general conformity with Section 17 of the Crime and Disorder Act (1998) and the requirements of Policy CS3.

CONCLUSION

56. The proposed retirement housing not only offers a significant boost to the Boroughs 5 years housing land supply, but also provides a much needed care facility for the Borough's changing demographics and what is an aging population. Furthermore, the proposal offers a significant amount of affordable housing provision, well above the Council's minimum requirement of 15%. These are all significant material planning considerations which accord with planning and local planning policies and weigh significantly in favour of the proposed development.

57. Whilst it is noted that many objections have been received in relation to the proposals design and appearance, this revised scheme has reduced the overall scale of the proposed development to a predominately 2 storey development with a central section of 3 storeys and the use of materials through its incorporation of red brickwork and render would help to r integrate the scheme into the surroundings and would not have a detrimental impact on the character of the surroundings.

58. In terms of the loss of the existing car park, a separate application seeks to replace this provision on a like-for-like basis to the rear of the neighbouring community centre, which is a matter for separate consideration. Notwithstanding this, there is a Cabinet resolution to dispose of the car park to Vela for this retirement housing scheme (subject to planning approval) and there is also a Council resolution to provide the appropriate funding to secure a replacement car park facility to the rear of the Community Centre.
59. The scheme is also considered to be acceptable in all order respects, including its impact on the amenity of neighbouring occupiers, highway safety and public safety and it is not considered that there a sufficient grounds to refuse the scheme on planning grounds.
60. Given the above the proposed development is considered to be in accordance with the aims of the National Planning Policy Framework and sustainable development objectives, Policies CS2, CS3, CS8, and CS11 of the adopted Core Strategy and saved policies HO3 and EN38 of the Local Plan and is consequently recommended for approval subject to the planning conditions set out within this report.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Simon Grundy Telephone No 01642 528550

WARD AND WARD COUNCILLORS

Ward Billingham Central
Ward Councillor Councillor B Woodhouse & Councillor Ann McCoy

IMPLICATIONS

Financial Implications

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

Environmental Implications

As report.

Community Safety Implications

Section 17 of the Crime and Disorder Act 1998 has been taken into account in preparing this report and it is not considered the proposed development would not be in conflict with this legislation.

Human Rights Implications

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report and the proposed development will not contravene these human rights.

Background Papers

Stockton on Tees Core Strategy

Stockton on Tees Local Plan

National Planning Policy Framework (NPPF)

Planning Applications 12/2500/FUL, 12/2951/FUL & 14/0093/FUL.