

DELEGATED

AGENDA NO
PLANNING COMMITTEE
8 APRIL 2015
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

15/0076/COU

Land East Of Rochester Road, Stockton-on-Tees,
Change of use application of open space for the installation of a Multi-Use Games Area (MUGA) and additional play equipment, erection of 4.no 6m high light columns, 1.no 8m high light column and installation of 1.no CCTV camera on existing street light column.

Expiry Date: 8 April 2015

SUMMARY

Planning permission is sought for the change of use of part of an area of existing open space (which contains a Steel Mesh Kick Wall and a Teen Shelter) to a multi-use games area with 4 six metre high light columns, provision of play equipment with an 8 metre high light column and the installation of a CCTV camera on an existing street light column.

Under the Council's Scheme of Delegation, the application is put forward for determination by the Planning Committee as the scheme does not constitute minor development. In addition there have been six objections received from neighbouring residents mainly concerned with anti-social behaviour; disturbance from the proposed lights and also loss of privacy from the installation of the CCTV camera. No objections have been received from statutory consultees subject to a number of conditions.

The proposed development is considered to be of an appropriate scale, design and layout for its setting, achieves satisfactory spacing from surrounding properties and is not considered that it will result in any unacceptable impacts on residential amenity. The proposed scheme is considered to satisfy the principles of the National Planning Policy Framework, and Core Strategy Policies CS3, CS6 and CS10 and as such is recommended for approval.

RECOMMENDATION

That planning application 15/0076/COU be approved subject to the following conditions and informatives;

01 Time Limit

The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

02 Approved Plans

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
TS/10088/102/1303 REV A	19 January 2015

TS/10088/102/1304 REV A	19 January 2015
TS/10088/102/1301 REV A	14 January 2015
UDN_2076_02 Rev B	14 January 2015
UDN 2076 06	4 February 2015
TS10088 GA 01	16 March 2015
SBC0001A	16 March 2015
SBC0002A	16 March 2015
SBC0003A	16 March 2015
SBC0004A	16 March 2015

Reason: To define the consent.

03 Network Rail - Lighting

For the first three months following the installation and operation of the new lighting an assessment will be made to check the effect of the lighting on the nearby railway line. If it is found that there is a problem with driver visibility additional screening/cowling or light adjustment will be employed as appropriate to alleviate the problem, to the satisfaction of the local planning authority.

Reason: In the interests of Railway safety.

04 Multi Use Games Area Lighting - Hours of use

Notwithstanding details hereby approved, the lighting scheme hereby approved which relates to the Multi Use Games Area shall only be used between the hours of 4pm - 10pm.

Reason: In order to limit disturbance through light pollution.

05 Construction activity

No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00a.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.

INFORMATIVES

Informative 1: National Planning Policy Framework

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

SITE AND SURROUNDINGS

1. The application site is an area of open space on Rochester Road in Roseworth, Stockton. The area currently has limited equipment in the form of a Steel Mesh, Kick Wall and a Teen Shelter.
2. To the north of the site approximately 250 metres away at the end of the open space is a recently approved affordable housing development and to the south is open space leading to the main A1027 ring road. To the west of the site is open space and the rear gardens of properties in Radstock Avenue (approximately 55 metres from the site) and to the east is an active railway line with housing in Ashton Road beyond (approximately 45 metres). A location plan is attached at Appendix A.

PROPOSAL

3. Planning permission is sought for the change of use of open space to form a multi-use games area (MUGA) and play space. The proposed MUGA will be built on to a new porous Tarmac Pad measuring approximately 28m X 20M the MUGA itself is manufactured out of steel and mesh and will be 25m X 18m enclosed by a 1.2 metre high fence extending to 3 metres at each goal end (See Appendix B for the proposed layout).
4. The basketball hoops at a maximum height of 3.85m and the court will have line markings for the provision of football and basketball (a visualisation of the MUGA is at Appendix C).
5. The proposed MUGA will be illuminated by 4 six metre high light columns which will be controlled and operated until the 10pm at night. The MUGA will be open to all, in line with all the other MUGA's in the Borough and does not require any booking.
6. The site will have play equipment installed, which are to be relocated from the Play Area at Redbrook Avenue, as agreed following consultation with the Roseworth Community Partnership. Examples of which are at shown at Appendix D and the play area and path will be illuminated by 1 eight metre light column.
7. The existing light column which is located on Rochester Road opposite the main play area will be installed with a CCTV camera.
8. The existing teen shelter will be retained.

CONSULTATIONS

9. The following Consultations were notified and any comments received are set out below:-
10. Spatial Plans Manager
 1. 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.
 2. This response focuses on the key spatial planning issues which relate to the application and emerging policies within the Regeneration and Environment Local Plan.
The Development Plan- overview
 3. The Development Plan currently comprises - Stockton-on-Tees Local Plan 1997 (Saved Policies) - Stockton-on-Tees Local Plan Alteration Number One 2006 (Saved Policies) - Stockton-on-Tees Core Strategy DPD 2010 - Tees Valley Joint Minerals and Waste LDD (September 2011)
 4. You will also be aware that the Council is currently consulting on the Publication draft of the Regeneration and Environment Local Plan.
The National Planning Policy Framework (NPPF)
 5. The NPPF is a significant material consideration in the determination of planning applications. Paragraph 14 states that at the heart of the NPPF is the presumption in favour of sustainable development which is a 'golden thread running through both plan-making and decision-taking'. For plan-making this includes local planning authorities positively seeking 'opportunities to meet the development needs of their area'. For decision-making it means approving development proposals that accord with the development plan 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.
 6. The NPPF provides that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of

housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.” (para 49).

Achieving sustainable development and core planning principles

7. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These being underpinned by 12 core principles.

Provision of facilities

8. Core Strategy Policy CS6(3) states ‘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.’

9. The Councils latest PPG17 assessment update was undertaken in 2014; this identifies West Stockton as an area which does not yet meet the quantity standard identified in the Open Space, Recreation and Landscaping SPD for play and young people’s areas.

Summarising comments

Spatial Planning are supportive in principle as the proposal seeks to provide a facility in an area which does not currently meet identified standards.

11. Built and Natural Environment Manager

Highways Comments: There are no highway objections.

Landscape & Visual Comments: There are no landscape and visual objections to the development which will provide a valuable recreational resource for the local area.

12. Environmental Health Unit

Lighting: I have taken a look at the lighting information and the luminaire levels are very low. I would not expect light to spill out great distances from the lit area or to disturb local residential premises given their distance and the protection from the raised bank that the railway line sits on. Also the type of lighting they intend to use is one that will angle light vertically and so help to prevent glare into properties. As such there is no need to ask for a condition stipulating that lighting is not angled towards residential premises. I would however still look to control the use of the site and this would be done by turning off the lights by a certain time. The proposed 10pm ‘lights outs’ by the applicant seems reasonable to me and I would suggest stipulating this time in a condition. I have no objection in principle to the development, however, I do have some concerns and would recommend conditions be advisory on the development should it be approved relating to Construction/Demolition Noise as I am concerned about the short-term environmental impact on the surrounding dwellings during construction/Demolition, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site. I would recommend that working hours for all Construction/Demolition operations including delivery/removal of materials on/off site shall be restricted to 08:00-18:00Hrs on weekdays, 09:00-13:00Hrs on a Saturday and no Sunday or Bank Holiday working.

13. Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met. Lighting: Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application. Standard lighting condition: For the first three months following the installation and operation of the new lighting an assessment will be made to check the effect of the lighting on the nearby railway line. If it is found that there is a problem with driver visibility additional screening/cowling or light adjustment will be employed as appropriate to alleviate the problem, to the satisfaction of the local planning authority in association with Network Rail and the train operating companies I would advise that in particular the lighting should be the

subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway.

14. Stockton Police Station - Stephen Davies

This proposed development offers benefits that include providing a designated area for youths to go and meet that is non –confrontational and will provide a facility for youths to use. However play areas do have the potential to generate crime and disorder alongside increasing the fear of crime in the community. The proposed monitored CCTV will help to alleviate this issue and provide formal surveillance of the facility to monitor any misuse.

An operational requirement should be carried out on any CCTV installation along with compliance with Data Protection. The proposed lighting will help to facilitate surveillance from the CCTV and reduce fear of crime. Any proposed lighting should complement CCTV proposals when the proposed lighting is turned off I am not aware how effective the CCTV coverage will be under the reduced light levels I would recommend adequate light coverage during hours of darkness to ensure the CCTV is effective during hours of darkness but this needs to be balanced with the amenity of neighbours. Should the lighting need to be on longer then this could be dealt with at a later stage.

If young people are to use the facility it would have been preferred that nearby residential properties fronted the area to provide natural surveillance from the homes.

It is important that the facility is properly managed and regular maintenance is essential is carried out. Any crime and anti-social behaviour incidents should be recorded and appropriate action carried out at an early stage. It is also important that the local community is actively involved in reporting any misuse or developing problems that may occur in connection with facility

15. Councillors

No comments received

PUBLICITY

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

17. Mr & Mrs Pattison 75 Ashton Road Norton

We wish to object to the multi-use games area because we believe as the area will be unmanned it will be a meeting place for groups of youths to congregate and could cause disturbance on an evening and at weekends. Also the lights will affect our bedrooms on a night and as I work shifts I will be disturbed during the day and night. With the CCTV cameras I believe there will be invading our privacy. We bought 75 Ashton Rd 32 year's ago because there was no buildings at the back of us and we have always thought that nothing would be built on the land as it was common land also we feel this will effect the value of our property so for these reasons we are against the proposed use of the land.

18. Mrs Diane Grosvenor 73 Ashton Road Norton

I strongly object to this development at the back of my property mainly because of the privacy issue. I am also very concerned that this development will impact on increasing the levels of anti-social behaviour and crime. I respect mine and my neighbours privacy and the use of floodlighting will impact directly into my bedroom not only effecting and violating privacy but effecting sleep and wellbeing. It is completely unacceptable.

19. Jane Brand. 67 Ashton Road Norton

I object due to the erection of 4 x 8metre high light columns and potential noise. We already have the railway noise to contend with. There is not enough green area and if they use the open space and if they use the open space for a multi-use games area there will be even less. There are MUGA's already in the local area so I feel that it is an unnecessary use of the space.

20. Mrs J Powell, 61 Ashton Road Norton

There is enough noise with train's also anti-social behaviour – golf balls and motorbikes on field.

21. Mr Michael Grange, 49 Ashton Road Norton

I am writing to object to the use of high light columns and a CCTV camera which will be located on Rochester road Stockton on Tees. This will be on the installation of a multi games area, my bedroom which myself and my wife sleep in will overlook this and I do not want lights shining in my bedroom or my garden and I certainly do not want CCTV overlooking my bedroom house and garden. I don't want a games area at all built at the back of due to the noise and disturbance it will cause. Also how will these lights be turned on and off if this games area is not to be manned are they going to be turned on and off when the street lights are turned on and off. I have lived at 49 Ashton Road for over thirty years and the one thing that attracted me to the house was the privacy at the rear of the house and the use of these lights is an invasion of my privacy so I am 100% in objection to any lights or CCTV been erected at the rear of my house as I feel this will significantly reduce the value of my house.

Updated Comments following consultation on the revised description:

I strongly object to this MGA it was bad enough before but now you send letters to us saying you are going to install more lights and more CCTV well I do not want this at the back of my property we have to contend with the noise of people riding up and down this field on motorbikes we have to put up with extra trains and now you want to build a games area right at the back of us so we have more noise to contend with lots of extra light from the flood lights not to mention an invasion of our privacy from CCTV . On top of all this it will devalue my property this is common land and should not be used to construct anything on.

I object to the games area full stop the noise will be horrendous the light will shine in our garden and bedroom and I still think the CCTV is an invasion of privacy

22. Mr And Mrs D Lamb, 47 Ashton Road Norton

I wish it to be known that my wife and I although not objecting to the use of the multi-use games area we strongly object to the erection of 4 x 8metre high light columns and 1 x 6 metre high light column. We also object to the installation of a CCTV camera. As we have lived in the property 37 years we were led to believe it was common land and therefore nothing will ever be built on it. As our bedroom is at the back of the property we do not want lights and a CCTV camera facing the bank of our property we feel this will be an invasion of our privacy. We also feel this could create noise and reduce the value of our property.

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. 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.

24. 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.

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

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

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

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

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

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.

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

28. Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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

- i. Strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George.
- ii. Green wedges within the conurbation, including:
 - _ River Tees Valley from Surtees Bridge, Stockton to Yarm;
 - _ Leven Valley between Yarm and Ingleby Barwick;
 - _ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
 - _ Stainsby Beck Valley, Thornaby;
 - _ Billingham Beck Valley;
 - _ Between North Billingham and Cowpen Lane Industrial Estate.
- iii. Urban open space and play space

MATERIAL PLANNING CONSIDERATIONS

29. The main material considerations when assessing this application are the principle of development, character of the surrounding area, potential impact upon the amenity of neighbouring properties, impact on the railway and any other residual matters.

Principle of development

30. The proposed MUGA is located on an existing area of defined urban open space which includes an existing Steel Mesh, Kick Wall and a Teen Shelter. The development will be located in the centre of the public open space and will provide facilities such as an all-weather MUGA which will include markings for football and basketball. Play equipment will also be provided and the youth shelter will be retained.
31. The National Planning Policy Framework (paragraph 73) states "*access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.*"
32. In Stockton's case, the assessment referred to is the PPG17 Assessment, which forms Appendix 6 of the Open Space, Recreation and Landscaping SPD. This is also enshrined in point 3 of adopted Core Strategy policy CS6 'Community Facilities'. Within the Council's Open Space, Recreation and Landscaping Supplementary Planning Document (2009), Stockton west is identified as not meeting the quantity standards for play/young people's areas (which includes MUGAs). The justification relating to Core Strategy Policy CS6 (Community Facilities) notes "*Provision of and access to facilities underpins a number of Sustainable Community Strategy strands. Promoting health, well-being and achievement of children and young people involves good quality education and training facilities, together with chances for young people to enjoy culture, sport and leisure opportunities...Encouraging residents to live a healthy lifestyle involves the provision of facilities to encourage regular exercise taking and to maximise the opportunities provided by the natural landscape of the Borough to improve their health*". Policy CS6 states that priority will be given to the provision of facilities that contribute towards the sustainability of communities; opportunities to widen the Borough's cultural, sport, recreation and leisure offer; the quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced; existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location.
33. The proposal constitutes the development of a MUGA on an area of land identified as amenity greenspace within the open space audit. The proposal is for an alternative recreational provision which will improve the existing play/young people's area.
34. In view of the above policy considerations, and given that the area of land is currently used as part of a defined urban open space it is considered that the proposed development would be located within a suitable location and that the proposal would satisfy the provisions of Core Strategy CS6 in terms of providing recreation facilities. Additionally policy CS10 of the adopted Core Strategy seeks to protect and enhance urban open space and play space. Therefore it is considered that the principle of development is acceptable, subject to the proposed scheme satisfying other material considerations as set out below.

Character of the Surrounding Area

35. The development site is an area of open space in Rochester Road. The area to be developed currently has limited recreational facilities.
36. It is considered that the scale of the proposed development is considered to be of an appropriate size in relation to the wider open space and will be built on the site of the existing facilities. The enclosure of the MUGA will incorporate a 1.2 metre high mesh fence along the sides with basketball hoops and goals at either end. As such the proposal is considered to be of a modest scale

37. The Built and Natural Environment Manager has commented from a landscape aspect and raises no landscape or visual objections to this development and is supportive of the proposal stating that the development will provide a valuable recreational resource for the local area.
38. In view of the modest scale and design of the scheme, which respects the proportions and layout of the field, it is considered that the proposal will not result in an incongruous feature or result in an adverse impact upon the character and appearance of the surrounding area.

Amenity of Neighbouring Properties

39. There are 6 objections to the proposed scheme from residents in Ashton Road, with the main areas of concern being anti-social behaviour, light intrusion and loss of privacy from the CCTV camera. Ashton Road is located to the east of the site (approximately 45 metres) beyond an active railway which is on a raised bank higher than the application site. Other residential properties are located to the north and west albeit at a greater distance (approximately 55 metres).
40. Consultation comments have been received from neighbours stating that they have experienced anti-social behaviour in the past however it is considered that the provision of this facility will not increase the level of disturbance and may actually improve the situation. The design and access statement states "*Often young people are seen as a nuisance purely because they have nowhere to go. The development of this sports facility will meet the demands of young people who cite the lack of existing facilities as a reason why there is conflict with residents.*" The proposed area will be lit creating the opportunity for natural surveillance and with the installation of a CCTV camera focussed on this area (but with the ability to monitor other areas during times of activity/threat - if required), it is considered that the scheme will not give rise to anti-social behaviour but will provide a much needed outlet for children and young people with added security and surveillance. Furthermore Cleveland Police have raised no formal objections to the proposal and the comments they have made with regards to management and reporting of any incidents have been forwarded to the applicant
41. Cleveland Police have stated that in terms of secure by design, a location that that would be overlooked by residential properties fronting the area to provide natural surveillance from the homes would be preferable. Whilst it is acknowledged that this is a better choice when designing facilities for new estates and open space, the proposed location is within a well-established residential estate and will be monitored by CCTV cameras and it is not considered that this reason alone would warrant the refusal of the application.
42. Neighbours in Ashton Road are concerned over the potential for light intrusion from the new MUGA and play area lights. The applicant has submitted a luminance plan showing the potential light spillage and confirmed that the lights will be on a timer which during the darker winter months may come on as early as 4:00pm and go off no later than 10:00pm. This can be adjusted via the control box which will be part of the lighting system. Environmental Health considered these details and confirmed that the lights will not have an adverse impact on neighbouring properties but suggested the 10pm turn off is made a condition of the approval which has been recommended. Cleveland Police have suggested that these lights should be on longer to aid the surveillance of the area, however it is this could be considered if incidents occur.
43. Concerns have also been raised regarding the loss of privacy from the installation of the CCTV camera. The CCTV will be sited on an existing lamppost opposite the MUGA and is capable of 360 degree monitoring. The camera will transmit a live signal to the security and surveillance team at the monitoring centre in Stockton Town Centre. The camera will be

placed on an automatic patrol of the MUGA, open space and play area and no other location will be monitored unless commanded to do so by the surveillance team at Stockton during times of activity and threat. The camera patrol software will enable the camera to have the facility of a privacy zone, which will allow the camera to patrol the open space and play area, whilst not infringing upon an individual's property in the adjoining area. Images will be digitally recorded and stored for a period of up to 28 days, at which point they will be deleted (unless required for a specific purpose/incident).

44. In view of the separation distances to residential properties, the modest design and scale of the proposal and the fact that the MUGA will be sited within an area of defined urban open space which currently has a children's shelter, basketball hoop and an area of hardstanding, the lights and CCTV can be installed and controlled so as not to cause any loss of privacy and amenity and it is therefore considered that the proposed scheme will not result in an unacceptable impact upon the amenity of neighbouring properties.
45. The Council's Environmental Health Unit has been consulted on the application and has raised no objections subject to controls on the hours of construction/deliveries to the site. It is considered that the condition is necessary in relation to the works on site and is recommended accordingly.
46. Devaluation of properties is not a material planning consideration.

Impacts on the railway

47. The application site is located close to an active railway and accordingly Network Rail have been consulted on the application. Network Rail raised no objection subject to a condition regarding light intrusion. Whilst it is envisaged that the development will not have an adverse impact through light spillage, a condition has been recommended to ensure the development can be assessed once the lights are in place and ensure the lights are adequately positioned and shielded should this be necessary.

Highway Safety

48. The Built and Natural Environment Manager raises no highway objections, it is therefore not considered that the proposal will not result in an adverse impact upon highway safety.

CONCLUSION

49. Overall it is considered that the proposed development is an appropriate scale and design for its setting and is therefore considered that the proposal would not result in any unacceptable impacts on the residential amenity of neighbouring properties. In view of the above it is considered that the proposal accords with Core Strategy Policies CS3 and CS6, and the provisions of the National Planning Policy Framework and it is recommended that the application be approved with conditions.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062

WARD AND WARD COUNCILLORS

Ward	Roseworth
Ward Councillor	Councillor J Beall
Ward Councillor	Councillor Miss B Inman BEd BA ADPSE

IMPLICATIONS

Financial Implications: None

Legal Implications: None

Environmental Implications: None

Human Rights Implications: The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

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

Background Papers: National Planning Policy Framework

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Application file 15/0076/COU