

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**1 FEBRUARY 2017**

**DIRECTOR OF ECONOMIC GROWTH AND  
DEVELOPMENT**

**16/2931/FUL**

**Car Park All Saints Church of England Academy, Blair Avenue, Ingleby Barwick  
Application for the erection of a new leisure facility consisting of swimming pool, fitness gym, exercise studios, multipurpose rooms, the relocation of public library from All Saints School, the relocation of the school car park, leisure facility car parking, repositioning of boundary fence, landscaping and reposition of highway access onto Blair Avenue.**

**Expiry Date: 14 February 2017**

### **SUMMARY**

Full planning permission is sought for the development of a leisure facility on land currently part of All Saints Academy, Ingleby Barwick.

The new Leisure Facility has been commissioned to enhance and develop the range and scope of services on offer to residents. It is proposed that land currently part of All Saints Academy will host the new building, which with its range of leisure and community activities, reflecting the desire to bring swimming, fitness and an enhanced library offer previously not available to the area's residents under one roof.

The application is for intensive sport and recreation which is a main town centre use in the NPPF. Paragraph 24 of the NPPF states that planning applications for main town centre uses that are not in an existing centre require a sequential test.

Local planning policy is consistent with the NPPF due to both policies (S2 and CS5) directing town centre uses to existing centres. Furthermore, Planning Practice Guidance sets out a checklist for carrying out the sequential test. The guidance states that 'the application of the test should be proportionate and appropriate for the given proposal.' The local planning authority and developer must also be flexible in terms of scale of the proposal and suitability of the site.

The submitted Design and Access Statement provides rationale regarding the site selection process owing to the scale of the proposed facility. It is identified in Core Strategy Policy CS 6 that facilities which 'contribute towards the sustainability of communities' should be provided in Ingleby Barwick. This context and the nature of the area limits the scope for a sequential test to the catchment of Ingleby Barwick.

It is also noted that there are no alternative suitable and available sites for the proposed development. Whilst development land exists within Ingleby Barwick it is noted that this is not available as the sites have permission for alternative uses (residential or retail extension) and are reserved by the land owner for these uses.

In accordance with national and local planning policies an impact test has been submitted alongside the proposal in the form of a 'Leisure Use Impact Assessment'. The Leisure Use Impact Assessment states that there is an unmet demand of 1500 gym memberships in Ingleby Barwick and an under provision of swimming pools in the borough of Stockton. Therefore this facility will meet this demand and also accords with Core Strategy Policy CS6 (1) to provide community facilities in Ingleby Barwick.

The proposed centre is of a modern design and will have the benefit of providing both a high quality and innovative frontage treatment to the site. In terms of the scale and appearance the building is in scale with the surrounding buildings and features a variety of materials to add visual interest. The materials and design create a contemporary building which whilst distinct from its surroundings reflects an innovative building fit for the modern operational function of a leisure and library facility.

Overall the nature and scale of the development is acceptable and parking provision and access is satisfactory. It is considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and does not conflict with policies in the Development Plan.

## **RECOMMENDATION**

**That planning application 16/2931/FUL be approved subject to the following conditions and informatives below;**

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

<b><i>Plan Reference Number</i></b>	<b><i>Date on Plan</i></b>
<b><i>AP(0-)01 K</i></b>	<b><i>15 November 2016</i></b>
<b><i>AP(0-)02 K</i></b>	<b><i>15 November 2016</i></b>
<b><i>AP(0-)03 A</i></b>	<b><i>15 November 2016</i></b>
<b><i>AP(5-)01 H</i></b>	<b><i>15 November 2016</i></b>

***Reason: To define the consent.***

**3     *All ecological mitigation measures within the 'Extended Phase 1 Habitat Survey November 2016 shall be implemented in full accordance with the advice and recommendations contained within the document.***

***Reason: In order to adequately take into account ecology and biodiversity in accordance with the principles of Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.***

**04     *The approved Travel Plan shall be implemented in full accordance with the advice and recommendations contained within the document.***

***Reason: In the interests of highway safety and to promote sustainable modes of travel.***

**05     *No construction activity or deliveries shall take place except between the hours of 0800 and 1800 on Monday to Friday and 0900 and 1300 on Saturdays. There shall be no construction activity on Sundays or Bank Holidays.***

***Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.***

**06     *The rating level of sound emitted from any music at the premises shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 15 minute LA90 at the nearest sound sensitive premises) and shall not***

**exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises).**

**Reason: To safeguard the amenities of the area.**

- 07 Before the installation of the building services systems commences details of a ventilation and fume extraction system, including a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation, fume or flue outlet points and the type of filtration or other odour treatment which shall be installed and used at the premises in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before the development is brought into use and thereafter be retained in full accordance with the approved details. The approved ventilation and extract system shall be operated and maintained in accordance with the manufacturer's recommendations, including the frequency of replacement of any filters.**

**Reason: To safeguard the amenities of the area.**

- 08 The development hereby approved shall not be commenced on site, until a scheme of 'Foul and Surface Water Drainage and Management' for the implementation, maintenance and management of the sustainable drainage scheme has first been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, The scheme shall include but not be restricted to providing the following details;**

- (i) Detailed design of the surface water management system**
- (ii) A build program and timetable for the provision of the critical surface water drainage infrastructure**
- (iii) A management plan detailing how surface water runoff from the site will be managed during construction Phase**
- (iv) Details of adoption responsibilities;**
- (v) Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement;**

**The building hereby approved shall not be brought into use until the approved 'Foul and Surface Water Drainage' scheme has been implemented and the approved scheme shall be maintained in accordance with the Foul and Surface Water Management scheme for the lifetime of the development.**

**Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.**

- 09 No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:**

- (i) the site construction access(es)**
- (ii) the parking of vehicles of site operatives and visitors;**
- (iii) loading and unloading of plant and materials;**
- (iv) storage of plant and materials used in constructing the development;**
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,**
- (vi) measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site;**
- (vii) measures to control and monitor the emission of dust and dirt during construction;**

- (viii) a Site Waste Management Plan;**
- (ix) details of the routing of associated HGVs;**
- (x) measures to protect existing footpaths and verges; and a means of communication with local residents.**

**The approved Construction Management Plan shall be adhered to throughout the construction period.**

**Reason: In the interests of highway safety and to safeguard the amenities of the area.**

- 10 No development shall take place (except for the purposes of constructing the initial site access) until that part of the access(es) extending 15 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the Council's Design Guide and Specification.**

**Reason: In the interests of highway safety.**

- 11 No hard landscaping shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority and in accordance with the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.**

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

- 12 Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, (whichever is applicable) prior to the commencement of enclosure works, details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.**

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

- 13 Prior to the commencement of installation of any street furniture, details of any street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority. Such street furniture as agreed shall be erected before the development hereby approved is occupied.**

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

- 14 Prior to the commencement of external lighting installation full details of the method of external LED illumination:**

- (i) Siting;**
- (ii) Angle of alignment;**
- (iii) Light colour; and**
- (iv) Luminance.**

**of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.**

**Reason: To enable the Local Planning Authority to control details and in the interests of the amenity of neighbouring occupiers, Highway Safety and protection of sensitive wildlife habitats.**

- 15 No Soft Landscaping shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:**
- (i) Commencement of the development;**
  - (ii) or agreed phases;**
  - (iii) or prior to the occupation of any part of the development;**
- and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.**

**Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.**

- 16 Prior to occupation of the development full details of proposed soft landscape management shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plan prior to the occupation of the:**
- (i) Development;**
  - (ii) or approved phases.**

**Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season.**

**Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved**

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

- 17 Construction of the external walls and roofs shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

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

- 18 Prior to occupation of the development, an energy statement shall be provided to identify how the predicted CO2 emissions of the development will be reduced by 10% through the use of on-site renewable energy equipment and or design**

**efficiencies and details of the fabric U - values to be agreed with the Local Planning Authority and implemented in accordance with the agreed scheme.**

**Reason: To ensure a suitable form of development and to accord with Core Strategy Policy CS3.**

- 19 The development must obtain a Building Research Establishment Environment Assessment Method (BREEAM) of 'very good', or equivalent rating. Assessment request to be issued to BRE within 6 months of occupation.**

**Reason: In order to minimise energy consumption in accordance with Stockton on Tees Adopted Core Strategy policy CS3.**

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

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.

### **BACKGROUND**

1. The new Leisure Facility at Ingleby Barwick has been commissioned to enhance and develop the range and scope of services on offer to its population. It is proposed that land currently part of All Saints Academy will host the new building, which with its range of leisure and community activities, reflecting the desire to bring swimming, fitness and an enhanced library offer previously not available to the area's residents under one roof.
2. The co-location within the facility of the enlarged community library and the incorporation of a customer self-service advice/kiosk point will continue to build on and improve the strategy for grouped neighbourhood services as has already been developed in other Stockton-on-Tees leisure and library locations.

### **SITE AND SURROUNDINGS**

3. The site is located off Blair Avenue in Ingleby Barwick and is within the curtilage of the existing All Saints Academy. Between the footpath/cycle route to the East there is almost 10m wide growth of hedges, shrubs and small trees, beyond this is a neighbourhood shopping area with car park.
4. The adjacent All Saints Academy is a two storey building, though with high monopitch roofs certain parts reach that of a 3 storey building height. To the north of the site is a 2-3 storey care home.

### **PROPOSAL**

5. Full planning permission is sought for a new leisure facility consisting of swimming pool, fitness gym, exercise studios, multipurpose rooms, the relocation of public library from All Saints Academy, the relocation of the school car park, leisure facility car parking, repositioning of boundary fence, landscaping and reposition of highway access onto Blair Avenue.
6. The building form has been driven by the need to ensure that the new leisure centre does not block the view of entrance of the school from the road. On plan this has created a splayed angle at the front which the main glazed facade adheres to. The one element that does not follow this is the 1st floor gym that projects out above the glazed facade to create a feature point. The high floor to floor (min 4.6m) means that this does not obscure the view of the school entrance from pedestrians walking along the pavement. On all the other facades the building form runs parallel to the

boundary. The building which is higher than a normal 2 storey building sits in-between the adjacent 2 storey school (with monopitch roof rising up to 3 storeys) and the care home across the road which is a mixture of both 2 and 3 storey structures.

7. The elevational treatment of the building has been carefully considered with a suitable palette of materials. The intention is that the building should stand out and have an impact from Blair Avenue whilst at same time fitting in with its surroundings.

8. The main entrance is located off the plaza on the West side and leads to the public 'heart' of the building, a double height space which includes the foyer / cafe / and public library with a customer advice/kiosk point, all within an open plan space. The library, leading off the foyer wraps around the side of the building and has a prominent position seen off Blair Avenue so passers can see it and are encouraged to enter. From the public cafe / foyer space parents can watch their children having their lesson in the learner pool whilst also keeping an eye on the soft play room. From the reception the staff can monitor people accessing the library, the upstairs healthclub and the wet changing rooms. The multi activity suite is at the Southern end of the public foyer, this space overlooks the plaza.

9. A new pedestrian "plaza" area is proposed to the new leisure facility which wraps around the north and west elevations of the building to provide a continuous wide hard landscape treatment and level access to the main entrance. This new area of public realm responds to the architectural proposals, with glazing on the ground floor elevation, creating a cohesive design aesthetic to new facility. The plaza will allow for pedestrian circulation from the relocated bus stop and surrounding footpaths as well as access to and from the car park and to the adjacent school building. A hard surface treatment has been proposed to the complete perimeter of the building to provide maintenance and emergency routes.

10. The plaza area is to provide the primary pedestrian route to the leisure facility and also to the school entrance. The existing footway and cycleway used by pupils walking to school from the Barwick Lane footway and cycleway route from the east of the site has been maintained on a new alignment, as has the footway off Blair Avenue when approaching from the west.

11. A new shared vehicular access is proposed for the relocated school and new leisure car parks. The layout has been designed into two distinctive parking areas – leisure and school spaces, divided by the vehicular access route whilst allowing the school car park to be used as an overflow in evenings and weekends.

12. The existing public bus stop is to be relocated and a new coach lay-by created adjacent to the plaza off Blair Avenue. The Academy school and leisure facility parking circulation has been kept segregated from that of the adjacent Primary School to the west.

13. The development of the new facility will result in the loss of some of the planting that was associated with the construction of the All Saints Academy, including the mound of tree planting to the east of the site. The existing mature hedge comprised mainly of Hawthorn is located between the planted mound and the footpath cycleway will be removed. New native hedging will be planted on approximately the same line as the old to provide a continuous treatment to the edge of the new development. An existing mature Oak tree is located just to the south east of the site boundary and will be retained.

14. A strong soft landscape treatment to the Blair Avenue frontage is to be maintained and enhanced with a proposed boulevard of semi mature Lime trees planted, edged with mown grass with native bulb planting to both sides of the footway. Native Beech hedging with protective fencing will be used to the north and west perimeter of the car park and help soften and screen the parked cars from Blair Avenue. Central areas of hedging, tree and shrub planting are also proposed between the parking rows, together with a new area of planting to the frontage of the school to replace the current planted area. The hedging will also assist to direct pedestrian movements. New small tree species, such as Field Maple, will be interplanted in the new and existing native hedgerow on the eastern edge of the development.

15. The proposals include for replacing the existing All Saints Academy parking places being displaced by the construction of the proposed new IBLF building. Vehicular circulation access around the All Saints Academy parking is planned to occur in a logical clockwise direction, beginning off the central 'spine' distributor accessed direct from the new entrance off Blair Avenue. Four accessible parking bays have been provided, ensuring a minimum 5% provision and are located a short distance from the Academy main entrance. The proposals also include for new parking places to serve the requirements of visitors and staff at the new IBLF building.

## **CONSULTATIONS**

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

### **Councillor Kevin Faulks**

I fully support this much needed leisure facility. The position will be the centre of Ingleby Barwick which will allow the majority of local residents and children to either walk or cycle to this complex. Ingleby Barwick must have one of the best cycle and footpaths in the whole of the borough and access to All Saints school. Why would anyone think of putting this on the outskirts of Ingleby Barwick when the majority would need to drive. Not only does this bring pleasure to all of our residents it will also free up space for All Saints School for further development. This is a win win situation.

### **Highways, Transport and Environment**

#### **Executive Summary**

Subject to the comments below the Highways, Transport and Environment Manager has no objections to the application for the erection of a new leisure facility consisting of swimming pool, fitness gym, exercise studios, multipurpose rooms, the relocation of public library from All Saints School, the relocation of the school car park, leisure facility car parking, repositioning of boundary fence, landscaping and reposition of highway access onto Blair Avenue..

The impact of the proposed application on the highway network has been assessed by the applicant, within the Transport Assessment (TA) submitted in support of the proposed development, and also using the Council's Yarm, Ingleby Barwick, Aimsun Model (YIBAM).

The YIBAM traffic modelling provides a more informed response regarding the impact of the proposed development on the wider network. The YIBAM results demonstrate there would be limited practical difference in terms of traffic movements on the local road network with or without the proposed development.

The proposed site access arrangements, which include a repositioned bus stop and the provision of a coach drop off layby are shown on drawing 2085-06/SK001/01 Rev B, which would be taken from Blair Avenue are considered to be acceptable and would be secured through a s278 Agreement.

Therefore, taking account of the above, the Highways, Transport and Environment Manager does not object to the proposed development in relation to the predicted impact on the highways network.

The internal highways layout for the proposed leisure facility and the relocated school car park, which are shown on drawing AG(90)01 Rev G, are in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) current edition and Supplementary Planning Document 3: Parking Provision for New Developments (SPD3) and are acceptable.

The applicant has submitted Travel Plan in support of the proposed application which is considered to be acceptable. The implementation of the Travel Plan should be secured by condition.



A Construction Management Plan should be agreed prior to construction commencing on the site and this should be secured by condition.

Whilst the information provided on the Landscape Masterplan, drawing number AG(90)01 Rev G, and details submitted within the Design and Access Statement are broadly acceptable the following information should be secured by condition:

- Full hard landscaping details including enclosure and street furniture;
- Details of the proposed covered cycle parking canopy. It is essential that the design of this canopy doesn't visually impact on the new leisure centre as you view the building from the West along Blair Avenue;
- Full soft landscape details, including planting and maintenance specifications.

The surface water drainage strategy drawing no: 500 Revision P01 proposes attenuation for the 1 in 30 year event with the additional volumes from the 1 in 100 year event plus 40% climate change to be provided within the car park. The principles of the strategy are acceptable. A detailed drainage design that complies with the strategy should be secured by condition.

As details of the proposed renewable energy equipment is yet to be submitted this policy requirement should be secured by condition.

The development will also need to achieve an overall minimum BREEAM standard of very good and this should be secured by condition.

Detailed comments and conditions are included in Appendix 1 and 2 respectively  
Appendix 1 – Detailed Comments

#### Highways Comments

The proposed development is a full application for the erection of a new leisure facility consisting of swimming pool, fitness gym, exercise studios, multipurpose rooms, the relocation of public library from All Saints School, the relocation of the school car park, leisure facility car parking, repositioning of boundary fence, landscaping and reposition of highway access onto Blair Avenue.

#### Site Access / Layout

An acceptable vehicular access, which is located approximately 40m to the west of the existing access to All Saints School, will be taken from Blair Avenue.

As a part of the proposed development the existing access to All Saints School will be closed and the existing bus stop, which is currently located at the position of the new site access, will be moved and a coach drop off layby will also be formed.

The details of the new site access junction, repositioned bus stop and coach drop off layby, which are shown on drawing 2085-06/SK001/01 Rev B, are considered to be acceptable. Delivery of these would need to be agreed with Highway Authority as part of the Section 278 Agreement and all costs would have to be met by the applicant.

The internal highways layout for the proposed leisure facility and the relocated school car park, which are shown on drawing AG(90)01 Rev G, are in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) current edition and Supplementary Planning Document 3: Parking Provision for New Developments (SPD3) and are acceptable.

A Construction Management Plan must be secured by planning condition to minimise the impact of any construction works on the public highway.

#### Traffic Impact

The applicant has submitted a Transport Assessment (TA) in support of the proposed development which includes an assessment of the impact of the proposed development on the highway network

using the Council's Yarm and Ingleby Barwick Aimsun Model (YIBAM).

The trip rates for the proposed development have been derived from TRICS (national trip rate database), which is an acceptable methodology. Table 1 which shows the forecast vehicle trip generation of the proposed development predicts that the proposed development would generate approximately 111 two-way vehicle movements (57 arrivals and 54 departures) during the weekday peak hour and 122 two-way vehicle movements (49 arrivals and 72 departures) during the Saturday peak hour

Table 1: Trip Rates and Trips

Time Period (hrs.)		Vehicle Trip Rates			Vehicle Trips					
(per 100sqm)	Arr.	Dep.	Total	Arr.	Dep.	Total				
Weekday AM										
Peak Period	08:00-09:00	0.567	0.562	1.129	22	22	43			
Weekday PM Peak Period	17:00-18:00	1.494	1.404	2.898	57	54	111			
Saturday										
Peak Period	13:00-14:00	1.288	1.891	3.179	49	72	122			

An assessment of the impact of the proposed development has been undertaken utilising the YIBAM for both the AM and PM weekday peak periods and the results are included in Table 2.

Table 2 - Peak Journey Time Results

Route	Route Description	AM Committed	PM Committed	Development	Diff	Committed	Committed +
Development	Diff						
Route 1	QE Way (bridge) to Tesco RA	02:17	02:17	00:00	05:00	05:30	00:31
Route 2	Tesco RA to QE Way	03:17	03:28	00:11	02:33	02:35	00:02
Route 3	Tesco RA to A174 Signals	02:41	02:40	-00:01	03:14	03:17	00:03
Route 4	A174 Signals to Tesco RA	02:26	02:25	-00:00	04:18	03:54	-00:24
Route 5	Tesco RA to Low Lane RA	02:25	02:25	-00:00	02:21	02:21	00:00
Route 6	Low Lane RA to Tesco RA	03:20	03:47	00:27	03:24	03:01	-00:23

The YIBAM results demonstrate there would be limited practical difference in terms of traffic movements on the local road network with or without the proposed development.

A local junction assessment has also been undertaken to assess the capacity of the proposed site access, which is included in Table 3 below, and has demonstrated that the junction will operate well within capacity.

Table 3 – Site Access Junction – Capacity Assessment

Approach/Movement	AM Peak Hour		PM Peak Hour	
	RFC	Queue	RFC	Queue
Site Access	0.16	0.2	0.18	0.2
Blair Avenue right turn into site			0.07	0.1
			0.06	0.1

The results clearly demonstrate that the proposed new site access junction would operate well within capacity and is therefore considered acceptable.

#### Service Vehicle Access

As a result of the proposed development the existing service access to All Saints School, which is currently taken from the car park for Myton Park Primary and Nursery, will be severed. An alternative and acceptable access will be provided, via the new car park for All Saints School, utilising the new site access junction and vehicle tracking has been undertaken that demonstrates this is suitable and therefore acceptable.

A dedicated service yard will be provided to the rear of the building. Vehicle tracking has been undertaken that demonstrates that the access to this area is acceptable.

#### Parking

The proposed development will provide a total of 126 car parking spaces which will be apportioned between All Saints School and the proposed leisure facility as follows:

- Leisure Facility - 49 car parking spaces including 38 standard car park spaces, plus four spaces for people with disabilities and seven staff spaces;
- Secondary School - 77 car parking spaces including 73 standard car park spaces, plus four spaces for people with disabilities. This represents a like-for-like replacement of the existing school car park.

Based on the analysis of the applications initial parking accumulation the applicant has demonstrated that the car park is predicted to operate within capacity:

- The busiest periods for the proposed leisure centre will occur on evenings and weekends with a predicted maximum usage of 80 parking spaces. Whilst this needs exceeds the dedicated 49 space car parking provision for the leisure facilities this can be accommodated by making use of the adjacent school car park, which will not be in use by the school at these times. During these periods only 42 of the 77 school parking spaces will be required.
- On weekdays only 46 of the 49 spaces provided for the leisure centre should be occupied.

The proposed level of car parking provision is therefore considered to be acceptable.

#### Sustainable Travel

The proposed site is well serviced in terms of alternative means of travel and is located in close proximity to:

- Existing footway networks on Blair Avenue which provide connections to the wider network;
- A toucan crossing on Blair Avenue to the east of the site;
- A toucan crossing to the north east of the site on Blair Avenue;
- A number of off-road and advisory on-road cycle routes linking the site with residential areas and Teesside industrial Estate;

an off-road path which runs on a north-south alignment linking the end of Barwick Lane to Myton Way, where the path continues off-road on both sides of Queen Elizabeth Way and existing bus stops on Blair Avenue, immediately north of the site, within a 100m walk distance which provide access to the services set out in Table 4.

Whilst the applicant has demonstrated that the proposed car park is predicted to operate within capacity and that the site is well served by public transport additional sustainable travel measures are proposed to encourage people away from private car use and towards other modes of transport.

The implementation of the Travel Plan should be secured by condition.

Table 4 – Bus Services

Service	Destinations Served	Mon-Fri.		Sat. Day		Sun. Day	
		Day	Eve.	Day	Eve.	Day	Eve.
15	Thornaby – Roseworth (one direction only)	2		0		2	0
17/X17	Middlesbrough - Eaglescliffe	1	Infreq.	1	0		
17/X17	Middlesbrough - Ingleby Barwick	1		1		1	

#### Landscape & Visual Comments

##### Scale, Massing & Visual Impact

The building presents an interesting form and shape on plan, which is in response to the need to retain views of the existing school at a pedestrian level, particularly the view of its entrance from

the road. The upper floor is then projected out over the proposed plaza area to create an architectural feature to the building.

Whilst the proposed building height is above a conventional 2 storey building, it relates well to the adjacent 2 storey rising to 3 storey school building, and care home across Blair Avenue which is a mixture of 2 and 3 storeys. This ensures that the overall mass of the building is complimentary to the adjacent All Saints Academy School and other existing developments, whilst still retaining its own identity.

#### Public Realm & Landscape

The public realm/entrance plaza will need to reflect the architectural design and quality of the leisure centre building. All external hard paved spaces should seek to contribute to the setting of the new building by providing a complimentary design and palette of materials, street furniture and lighting.

The proposal will result in the loss of existing trees to the eastern boundary that separates the existing car park from the cycleway along Barwick Lane. Although these are young trees with little visual amenity value, a replacement tree-planting strategy should be submitted as part of a full soft landscaping scheme.

Notwithstanding the information provided on the Landscape Masterplan, drawing number AG(90)01 Rev G, and details submitted within the Design and Access Statement the following information shall be secured by condition:

- Full hard landscaping details including enclosure and street furniture;
- Details of the proposed covered cycle parking canopy. It is essential that the design of this canopy doesn't visually impact on the new leisure centre as you view the building from the West along Blair Avenue;
- Full soft landscape details, including planting and maintenance specifications.

#### Environmental Policy

The applicant has submitted an Energy Report in support of the application which states that 'at least 10% of the energy requirement of the developments be provided by renewable or low carbon sources' and this should be secured by condition.

The development will also need to achieve an overall minimum BREEAM standard of very good and this should be secured by condition.

#### Flood Risk Management

The surface water drainage strategy drawing no: 500 Revision P01 proposes attenuation for the 1 in 30 year event with the additional volumes from the 1 in 100 year event plus 40% climate change to be provided within the car park. The principles of the strategy are acceptable.

A detailed drainage design that complies with the strategy should be secured by condition. This design will ensure that the agreed attenuation is achieved and that:

- Any water is routed away from any buildings or utility plant susceptible to water.
- The risk of any hazard as a result of surface water to access and egress routes, are minimised and that the routes are resilient to flooding.
- The risk of surface water runoff from the site will not be increase or cause any increased flood risk to neighbouring sites.

#### Environmental Health Unit

I have assessed the information provided by the applicant and can confirm that I have no objection in principle to the proposal. Regarding the submitted noise report I have the following comments:

#### Plant Noise Assessment Report

The noise assessment is satisfactory and the proposed plant should have no impact upon the nearest noise sensitive receptors.

I do have some additional concerns regarding the proposal but I am satisfied that these issues can be controlled through the imposition of the following conditions should the application be approved:

#### -Construction/ Demolition Noise

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 working hours for all Construction/Demolition operations including delivery/removal of materials on/off site be restricted to 08:00 - 18:00Hrs on weekdays, 09.00 - 13:00Hrs on a Saturday and no Sunday or Bank Holiday working.

#### Noise From Music

-The rating level of sound emitted from any music at the premises shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 15 minute LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises).

#### -Odour nuisance

Before development commences details of a ventilation and fume extraction system, including a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation, fume or flue outlet points and the type of filtration or other odour treatment which shall be installed and used at the premises in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before the development is brought into use and thereafter be retained in full accordance with the approved details. The approved ventilation and extract system shall be operated and maintained in accordance with the manufacturer's recommendations, including the frequency of replacement of any filters.

#### Sport England

Thank you for consulting Sport England on the above application.

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. This application falls within the scope of the above guidance.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to protect existing facilities, enhance the quality, accessibility and management of existing facilities, and to provide new facilities to meet demand.

In tandem with work carried out on Stockton's Playing Pitch Strategy, Sport England also assisted Stockton in reviewing swimming pool provision across the Borough using the facilities planning model tool. The model showed that there is a shortfall of peak time waterspace across Stockton roughly equating to the size of the pool proposed. Most particularly for Ingleby Barwick, the model showed;

- The most notable areas of unmet demand for swimming provision were across north Stockton from Norton to Hardwick, southern Thornaby, and Yarm.
- The two public pools which would be expected to serve Ingleby Barwick residents (Thornaby and Splash) were modelled to be full for the whole peak period.

Sport England, therefore, considers this proposal addresses an identified need for this facility type and has the potential to be of benefit to the development of swimming (and related activities) We would wish to see this accorded an appropriate weight in the decision that is reached on this application.

#### Facility Design

The applicant has been in dialogue with both Sport England's technical team, and the Amateur Swimming Association in respect of the design of the proposed facility

Sport England is satisfied therefore that the design of this facility will meet Sport England/NGB technical guidance.

#### Availability for Community Sport

The primary purpose of this development is to deliver community sport and as such Sport England is satisfied that it will fulfil the benefits to community sport identified above. The application has identified the potential for this facility to be used for community sport, and this is reflected in its design, location and intended hours of operation.

#### Conclusion

This being the case, Sport England offers its support for this application, as it is considered to meet Objective 3 - to provide new facilities to meet demand, as set out above.

The absence of an objection to this application in the context of the Town and Country Planning Act, does not in any way commit Sport England or any National Governing Body of Sport to support for any related funding application.

#### Northern Gas Networks

Northern Gas Networks acknowledges receipt of the planning application and proposals at the above location.

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue.

#### 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 we have the following comments to make:

The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for NWL to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

How to Satisfy the Condition

The Developer should develop their Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway
- Watercourse, and finally
- Sewer

If sewer is the only option the developer should contact NW to agree allowable discharge rates & points into the public sewer network.

This can be done by submitting a pre development enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6646.

### Spatial Planning & Regeneration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires an application for planning permission to be determined in accordance with the Development Plan, unless the material considerations surrounding the proposal indicate otherwise. The development plan for Stockton on Tees Borough is made up of policies from the adopted Core Strategy (2010) and saved policies from Local Plan Alteration Number One (2006).

The main policies of relevance to this application are:

- Saved Alteration Number 1 Local Plan Policy S2: Sets out how the council would consider planning applications for major development which is a main town centre use.
- Core Strategy Policy CS5: Sets out the hierarchy of Town, District and Local Centres, and directs town centre uses to existing centres.
- Core Strategy Policy CS6: Relates to the provision and access of community facilities. Point 1 of this policy specifically reference the need to cater for the needs of the growing population of Ingleby Barwick.

The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development which requires proposals in accordance with the development plan to be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF, or specific policies in the NPPF indicate development should be restricted.

Paragraph 215 of the NPPF states that development plans adopted under the Town and Country Planning Act should give due weight to “relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). Relevant policies in the Development Plan, as specified above, are not considered to be out of date.

### Sequential & Impact Test

The NPPF and local planning policy recognises the importance of town centres and supports their vitality and viability. The application is for intensive sport and recreation which is a main town centre use in the NPPF. Paragraph 24 of the NPPF states that planning applications for main town centre uses that are not in an existing centre require a sequential test.

Local planning policy is consistent with the NPPF due to both policies (S2 and CS5) directing town centre uses to existing centres. Furthermore, Planning Practice Guidance sets out a checklist for carrying out the sequential test. The guidance states that 'the application of the test should be proportionate and appropriate for the given proposal.' The local planning authority and developer must also be flexible in terms of scale of the proposal and suitability of the site.

The submitted Design and Access Statement provides rationale regarding the site selection process owing to the scale of the proposed facility. It is identified in Core Strategy Policy CS 6 that facilities which 'contribute towards the sustainability of communities' should be provided in Ingleby Barwick. This context and the nature of the area limits the scope for a sequential test to the catchment of Ingleby Barwick.

It is also noted that there are no alternative suitable and available sites for the proposed development. Whilst development land exists within Ingleby Barwick it is noted that this is not available as the sites have permission for alternative uses (residential or retail extension) and are reserved by the land owner for these uses.

In accordance with national and local planning policies an impact test has been submitted alongside the proposal in the form of a 'Leisure Use Impact Assessment'. The Leisure Use Impact Assessment states that there is an unmet demand of 1500 gym memberships in Ingleby Barwick and an under provision of swimming pools in the borough of Stockton. Therefore this facility will meet this demand and also accords with Core Strategy Policy CS6 Point 1 to provide community facilities in Ingleby Barwick.

In addition, it is crucial that the determination of the application should consider other planning policies and material considerations relating to the design of the development, amenity of residents, highway impact, amongst other things.

## **PUBLICITY**

17. It should be noted that the applicant has undertaken consultation in accordance with the adopted Statement of Community Involvement which involved a public consultation event held at Ingleby Barwick library involving a range of attendees (representation from across the Ingleby Barwick estates) on 1st September 2016 during normal public opening hours.

18. Neighbours were notified and any comments received are below:-

### **Ted Strike, Town Councillor, Ingleby Barwick Town Council**

With reference to the planning application for the proposed Leisure Centre at Ingleby Barwick, I wish to oppose this on the following grounds:

- 1) The location is in the most ridiculous position that it could be placed. It is currently being sited in the car park of All Saints School, and relocating the School parking, then adding additional parking for the leisure centre. The roundabout at the school is the busiest roundabout on the estate and adding even more traffic will only make things worse, especially at peak times.
- 2) The cost of siting the centre here has not been explained, I wrote a FOI request asking how much the land would cost, whether there would be an annual leasehold cost to the Church of England. I was informed this was confidential information. Surely ALL costs must be made known to the council tax payers so we can fully assess the value against the cost of every project.
- 3) The Leisure Centre is a much needed facility , and one which should have been provided by SBC many years ago, however not on this location.

With this in mind, Why do the council not approach Tesco and see if the centre can be built on the land they are currently selling to B&M. The land may be big enough to facilitate both buildings with a shared car park.

I believe the perfect place for the Leisure centre would be on the outskirts of the estate, which would allow people from other areas to attend without increasing traffic especially during peak periods. I appreciate land is currently being sold to developers at £1m an acre. However, developers have to make payments to the community for new developments. Can you please tell



me what the developers are paying under section 106 for the 550 houses imposed on us plus the 200 recent houses imposed on us following an appeal and the 66 houses at the Muddies. What is this money going to be spent on? Surely this money could be used to purchase some land off the developers and the Leisure Centre built on the outskirts of the estate which would have the added benefit of stopping even further unwanted houses being built on the land. Any shortfall could be offset by a land swap with land currently owned by SBC.

Mr Allan Mitchell, 67 Church Field Way Ingleby Barwick

I fully support this application.

It brings a much needed and long awaited facility to Ingleby Barwick. The central location is easily accessible by foot, bicycle and car, with additional parking available at Tesco.

The development complements the school, allowing further classroom space to be opened up whilst giving Ingleby Barwick an enhanced library.

Alternative proposed locations would be far too expensive and/or further away and so less accessible to residents.

## **PLANNING POLICY**

19. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

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

### National Planning Policy Framework

Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;

For decision-taking this means:

approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or-
- specific policies in this Framework indicate development should be restricted.

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

### Core Strategy Policy 1 (CS1) - The Spatial Strategy

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

### 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.
2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.
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

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'.
3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non-domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.
4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.
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.
6. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.
7. Additionally, in designing new development, proposals will:
  - \_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
  - \_ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
  - \_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
  - \_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

### Core Strategy Policy 5 (CS5) - Town Centres

8. Should any planning application proposals for main town centre uses in edge or out-of centre locations emerge, such proposals will be determined in accordance with prevailing national policy on town centre uses as set out in Planning Policy Statement 4: Planning for Sustainable Economic Growth or any successor to Planning Policy Statement 4.

#### Core Strategy Policy 6 (CS6) - Community Facilities

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Saved Policy S2 of Alteration No 1 of the adopted Stockton on Tees Local Plan

Proposals for new, or extensions to existing, major retail development outside the Primary Shopping Area within Stockton Town Centre and beyond the boundaries of the District and Local Centres, as illustrated on Proposals Map, will not be permitted unless : -

- i) there is clearly defined need for the proposed development in the catchment area it seeks to serve ; and
- ii) it can be clearly demonstrated that there are no other sequentially preferable sites or premises which are available, suitable and viable to accommodate the identified need the proposed development seeks to serve, starting from sites : -

- 1) within the Primary Shopping Area within Stockton Town Centre or within the boundaries of the various District or Local Centres defined under Policy S1; followed by
  - 2) on the edge of the Primary Shopping Area within Stockton Town Centre or on the edge of the boundaries of the District and Local Centres within the Borough, then
  - 3) in out-of-centre locations which are well served by a choice of means of transport, close to an existing centre, and which have a high likelihood of forming links with the centre; and only then
  - 4) in other out of centre locations;
- iii) the proposal would not have an adverse impact, either individually or cumulatively with other committed developments, upon any proposed strategy for a centre, or the vitality and viability of any centre within the local retail hierarchy set out in Policy S1 or nearby centres adjoining the Borough; and
  - iv) the proposal would be appropriate in scale and function to the centre to which it relates
  - v) the proposed development would be accessible by a choice of means of transport, including public transport, cycling and walking, and
  - vi) the proposed development would assist in reducing the need to travel by car, as well as overall travel demand.

Proposals for other key town centre uses in locations which lie beyond the Town, District and Local Centre boundaries defined on the Proposals Map will also be required to satisfy the above criteria. In relation to Criterion (ii), other Town Centre use proposals should be accompanied by evidence which demonstrates that there are no sequentially preferable development opportunities either within and/or on the edge of defined boundaries of the Town, District and Local Centres in the Borough.

## **MATERIAL PLANNING CONSIDERATIONS**

20. The main material planning considerations relating to this application are the principle of the development and policy implications, the impact of the proposed development on the locality in terms of residential amenity, vehicular access and highway safety, flood risk, ecology and other material planning considerations and whether it satisfies the requirements of the Local Plan Policies.

### **Principle of development and policy implications**

21. The NPPF and local planning policy recognises the importance of town centres and supports their vitality and viability. The application is for intensive sport and recreation which is a main town centre use in the NPPF. Paragraph 24 of the NPPF states that planning applications for main town centre uses that are not in an existing centre require a sequential test.

22. Local planning policy is consistent with the NPPF due to both policies (S2 and CS5) directing town centre uses to existing centres. Furthermore, Planning Practice Guidance sets out a checklist for carrying out the sequential test. The guidance states that 'the application of the test should be proportionate and appropriate for the given proposal.' The local planning authority and developer must also be flexible in terms of scale of the proposal and suitability of the site.

23. The submitted Design and Access Statement provides rationale regarding the site selection process owing to the scale of the proposed facility. It is identified in Core Strategy Policy CS 6 that facilities which 'contribute towards the sustainability of communities' should be provided in Ingleby Barwick. This context and the nature of the area limits the scope for a sequential test to the catchment of Ingleby Barwick.

24. It is also noted that there are no alternative suitable and available sites for the proposed development. Whilst development land exists within Ingleby Barwick it is noted that this is not available as the sites have permission for alternative uses (residential or retail extension) and are reserved by the land owner for these uses.

25. Saved Local Plan Policies S14 and S15 of Alteration no.1 to the Local Plan seek to control the extent of retailing and A3, A4 and A5 uses out-with defined centres. Whilst this proposal seeks to include a café within the development, this is small scale (75m<sup>2</sup>) and ancillary to the overall use and as such is considered to be acceptable.

## Site Characteristics, Detailed Design and Residential Amenity

26. It is considered that the siting and design of the building seeks to minimise any potential impact on the amenity of neighbouring properties through loss of privacy, noise pollution etc. The proposed building in terms of the scale and appearance of the building is appropriate within the context of the surrounding area and creates a building form which gives presence and a sense of place. It is considered that the proposed layout has been designed with adequate distances and designed to negate any overlooking and would not be visually intrusive or overbearing.

27. In respect of the materials and design, it is considered that the proposal would create a contemporary building which whilst distinct from its immediate surroundings reflects an innovative building fit for the modern operational function of a contemporary leisure and library facility.

## Other Matters

28. An Energy Report has been submitted in support of the application which states that 'at least 10% of the energy requirement of the developments be provided by renewable or low carbon sources'. A number of sustainable building measures are incorporated into the design of the building. In terms of Policy CS3 and the reference to integrating of climate change in order to fully reflect the objectives of Core Strategy Policy 3 (CS3), the development proposals should have embedded within them a minimum of 10 percent of their energy from renewable energy sources. The development will also achieve an overall minimum BREEAM standard of very good and this is considered acceptable and is secured by a condition.

29. In terms of site contamination the Environmental Health Unit have considered land contamination and raises no objection to the proposal and accordingly the proposal does not conflict with Planning Guidance in respect of contaminated land.

30. An assessment of the site has been undertaken to identify and assess nature conservation of the site including any potential impact of the site redevelopment on protected species, habitats and local biodiversity in general. None of the habitats on the site have been identified with species rare, threatened or protected with statutory designations. However, to mitigate any potential areas of concern a number of precautionary measures and enhancements have been noted and recommended for inclusion in the development and implementation of the proposal and is secured by a condition.

31. In terms of flood risk, a Flood Risk Assessment accompanies the application and identifies the site falls within Flood Zone 1 (the lowest risk) with a need to demonstrate a satisfactory management of surface water. The drainage strategy for the site will be agreed with the Council's Surface Water Management Team and Northumbrian Water and secured by means of planning conditions.

32. In terms of noise a survey has been undertaken to establish the background noise levels at noise-sensitive locations closest to the proposed development. These locations include both residential premises and the adjacent All Saints Academy. Noise levels are predicted to be below the background noise level during daytime and night-time periods. The Environmental Health Unit has considered the proposal and raises no objection on this matter subject to a controlling condition.

## Means of Access, Parking and Traffic Issues

33. The impact of the proposed application on the highway network has been assessed by the applicant, within the Transport Assessment (TA) submitted in support of the proposed development, and also using the Council's Yarm, Ingleby Barwick, Aimsun Model (YIBAM).

34. The YIBAM traffic modelling provides a more informed response regarding the impact of the proposed development on the wider network. The YIBAM results demonstrate there would be

limited practical difference in terms of traffic movements on the local road network with or without the proposed development.

35. The proposed site access arrangements, which include a repositioned bus stop and the provision of a coach drop off layby which would be taken from Blair Avenue are considered to be acceptable.

36. Therefore, taking account of the above, the Highways, Transport and Environment Manager does not object to the proposed development in relation to the predicted impact on the highways network.

37. The internal highways layout for the proposed leisure facility and the relocated school car park are in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) current edition and Supplementary Planning Document 3: Parking Provision for New Developments (SPD3) and are acceptable.

38. The applicant has submitted a Travel Plan in support of the proposed application which is considered to be acceptable and the implementation of the Travel Plan is secured by a condition.

39. In order to safeguard the amenities of the area a Construction Management Plan is conditioned to be agreed prior to construction commencing on the site.

40. In conclusion the Highways Transport and Environment Manager raises no objection on highway grounds to the proposed development.

## **CONCLUSION**

41. Overall the nature and scale of the development is acceptable and parking provision and access is satisfactory. It is considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and will provide economic and social benefits and does not conflict with policies in the Development Plan. Accordingly it is recommended that the application be approved with Conditions for the reasons specified above.

**Director of Economic Growth and Development**  
**Contact Officer Mr Gregory Archer Telephone No 01642 526052**

## **WARD AND WARD COUNCILLORS**

**Ward** Ingleby Barwick West  
**Ward Councillor** Councillor K Dixon

**Ward** Ingleby Barwick West  
**Ward Councillor** Councillor Ross Patterson

**Ward** Ingleby Barwick West  
**Ward Councillor** Councillor David Harrington

## **IMPLICATIONS**

**Financial Implications** : SBC funding contribution has been approved by Cabinet. A funding application is being made to Sport England for Strategic Facilities Funding contribution to the project. Planning approval is a requirement for this Sport England Funding. No direct other funding implications to arise as a result of planning approval.

**Environmental Implications**: As Report

### **Human Rights Implications:**

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

**Community Safety Implications:**

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

**Background Papers**

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments