

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

29 November 2017

**REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT**

17/2573/LAC

**Corporation Hall, Prince Regent Street, Stockton On Tees
Application for the demolition of Corporation Hall and the extension of adjacent public car park.**

Expiry Date: 12 December 2017

SUMMARY

This application seeks consent for the demolition of Corporation Hall and the extension of the existing adjacent car park into the site. The site will be tarmacked and laid out as a car park using the existing access for the current car park.

The application site is located on the fringe of Stockton Town Centre and the Conservation Area.

The main issues for consideration are the impact on the street scene and character of the conservation area, amenity and highway impact.

The building proposed for demolition is not listed. It is considered that the buildings current appearance does not enhance or contribute positively to the character of the conservation area. Nor does it add to the amenities of the immediate street scene and neighbouring properties. Its existing visual contribution to the character and appearance of the Stockton Conservation Area is therefore limited.

Due to the location of the site Environmental Health have no objections but request the construction/demolition activities hours are restricted. The Highways, Transport and Design Manager raises no highway or landscape and visual objections.

Neighbours were consulted and a site notice and press advert have been displayed, no comments have been received as a result of this publicity.

Overall, it is considered the car park will provide a suitable visual appearance of the site. It is considered the loss of the building will not have a detrimental impact on the character or appearance of Stockton Town Centre or the conservation area and the proposal is recommended for approval.

RECOMMENDATION

That planning application 17/2573/LAC be approved subject to the following conditions and informatives below;

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);

Plan Reference Number	Date on Plan
A10907/000/001	13 October 2017
A10907/000/003REVI2	17 October 2017

Reason: To define the consent.

03 Hours of demolition/construction

No demolition/construction works or delivery/removal of materials and equipment on/off the site shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no demolition activity on Sundays or on Bank Holidays.

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties.

INFORMATIVE

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

SITE AND SURROUNDINGS

1. The application site is located on Prince Regent Street, on the edge of Stockton Town Centre. The site consists of an existing public car park area and Corporation Hall. To the north of the existing car park are a number of commercial properties, to the south adjoining the Hall building are further commercial properties with some residential accommodation above. To the east of the site is West Row highway and to the west is the highway of Prince Regent Street.
2. The site is located within the Conservation Area.

PROPOSAL

3. This application seeks permission for the demolition of Corporation Hall and the extension of the existing adjacent car park into the Corporation Hall site.
4. The hall is to be demolished and replaced with a tarmac car park surface which mirrors the existing surface of the adjacent car park. The proposal will provide 24 additional car parking spaces.

CONSULTATIONS

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

Councillors

No comments received

Highways Transport & Design Manager

General Summary

The Highways, Transport and Design Manager has no objection to the proposed application to extend adjacent public car park (Demolition of Corporation Hall).

Highways Comments

The submitted proposals, as shown on drawing ref. A10907/000/003 REV I2, extend the existing car park to provide additional capacity. No alterations are proposed to the existing access. There are no highways objections to the proposals.

Landscape & Visual Comments

The submitted proposals are generally acceptable; there are no landscape and visual objections to the proposals.

SBC Flood Risk

No comments received

Environmental Health Unit

I have checked the documentation provided, and have found no grounds for objection in principle to the development. Although there are no residential premises in close vicinity there are commercial premises which may be impacted by dust emissions and noise. I would therefore recommend the following condition be imposed on the development should it be approved;

' Construction/ Demolition Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction/demolition. 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. Should works need to be undertaken outside of these hours the developer should apply for consent under Section 61 Control of Pollution Act 1974. This would involve limiting operations on site that cause noise nuisance.

ADVERT EXPIRY DATE 23 November 2017

SITE NOTICE EXPIRY DATE 23 November 2017

PUBLICITY

6. Neighbours were notified, a site notice was displayed and an advert placed in the newspaper and no comments have been received.

PLANNING POLICY

7. 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

National Planning Policy Framework

8. 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.
9. Paragraph 128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...
10. Paragraph 129: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
11. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
12. Paragraph 131: In determining planning applications, local planning authorities should take into account of:
The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
The desirability of new development making a positive contribution to local character and distinctiveness.

Local Planning Policy

13. The following planning policies are considered to be relevant to the consideration of this application.

Saved Policy EN24 of the adopted Stockton on Tees Local Plan
14. New development within conservation areas will be permitted where:
 - (i) The siting and design of the proposal does not harm the character or appearance of the conservation area; and
 - (ii) The scale, mass, detailing and materials are appropriate to the character and appearance of the area

- Saved Policy EN25 of the adopted Stockton on Tees Local Plan
15. The demolition of buildings and other structures which require consent for demolition within conservation areas will not be permitted unless:
 - (i) It can be shown that the loss is not detrimental to the character or appearance of the conservation area; or

- (ii) The structural condition renders it unsafe; or
- (iii) The structure is beyond reasonable economic repair.

Conditions will normally be imposed to secure the satisfactory redevelopment of the site.

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

16. 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.

MATERIAL PLANNING CONSIDERATIONS

17. The material planning considerations of this application are the impact on street scene and character of the conservation area, impact on the amenity of neighbouring occupiers the highway impact and residual matters.

Impact on the street scene and character of the conservation area

18. The applicant states that Corporation Hall has stood vacant for several years and is currently in a state of disrepair. In order to ensure on-going and appropriate levels of car parking for Stockton High Street, it is proposed to construct an extension to an existing public car park following the demolition of the Hall.
19. Section 72 of the Planning Listed Buildings and Conservation areas act states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". In this respect the character of the Stockton Conservation Area. It is considered the main consideration in respect of the impact on the character of the Stockton Conservation area, is the loss of the existing building itself and the resulting impact on the special character and appearance of the conservation area.
20. The building itself is not listed and it is considered that its current appearance does not enhance or contribute positively to the character of the conservation area. Nor does it add to the amenities of the immediate street scene and neighbouring properties. Its existing visual contribution to the character and appearance of the Stockton Conservation Area is therefore limited.
21. The application is accompanied by a heritage impact assessment as requested by paragraph 128 of the NPPF, this states the Hall has stood vacant for several years and is currently in a state of disrepair, it is also stated that although the building has some character its design as a functional hall provides little or no enhancement to the streetscape, and it is generally of poor design and condition. The impact assessment does not consider the significance of the building in further detail.
22. In considering the planning policy context, section 12 of the NPPF deals with the historic environment. Paragraph 126 makes it clear that heritage assets are an irreplaceable resource and heritage assets should be conserved in a manner appropriate to their significance.

23. It promotes consideration of; sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; the desirability of new development making a positive contribution to character and distinctiveness; and taking opportunities to draw on the contribution made by the historic environment to the character of a place. The demolition and loss of any designated heritage asset therefore requires clear and justification.
24. It is acknowledged that paragraph 133 of the NPPF addresses substantial harm and loss of a heritage asset and that where this occurs Local Planning Authorities should refuse consent unless it can be demonstrated that it is necessary to achieve substantial public benefits that outweigh any harm.
25. In view of all of the above and whilst noting the historic nature of the building, in this instance the designated heritage asset is the Stockton Conservation Area itself. Whilst the building proposed for demolition would result in the entire loss of the building and substantial harm to the building itself, it would not result in substantial harm to the designated heritage asset of Stockton Conservation area. The building has no special significance in regards to the designation of the conservation area. It is therefore not considered that the loss of the building would adversely impact on the significance of the Conservation area and therefore would result in less than substantial harm as set out in paragraph 134 of the National Planning Policy Framework.
26. Saved Policy EN25 of the Local Plan sets out that for structures which require consent for demolition within conservation areas the following criteria must be met; that there is no detrimental impact to the character or appearance of the conservation area, or; it is in a poor structural condition and is unsafe, or; it is beyond reasonable economic repair.
27. As stated above the building is not listed and is not considered to contribute to the character of the conservation area. The site will become a public car park and provide additional parking spaces as an extension of the existing car park at the site. The site will be tarmacked and spaces laid out, the site will not be enclosed, there will be a full height kerb separating the site with the adjacent footpath. It is considered this will provide a suitable visual appearance of the site and overall the loss of the building will mean that there is no detrimental impact on the character or appearance of the conservation area and the proposal is therefore in accordance with EN25.
28. It is further considered the addition of the car park will provide economic benefits as there are a number of new businesses in the area which increases the demand for parking. The additional parking will help to satisfy any additional demand.
29. The Highways, Transport and Design manager raises no landscape and visual objections to the proposal.

Impact on the amenity of neighbouring occupiers

30. The Environmental Health Unit has stated although there are no residential premises in close vicinity there are commercial premises which may be impacted by dust emissions and noise. The EHU recommend that demolition and construction activities be restricted to certain hours (8am-6pm Monday to Friday and 9am – 1pm on a Saturday). This condition has been attached.
31. It is considered that due to the type of work proposed and the commercial nature of the area the proposal is acceptable in amenity terms.

Highway safety

32. The Highways, Transport and Design Manager has stated the submitted proposals, as shown on drawing ref. A10907/000/003 REV I2, extend the existing car park to provide additional capacity. No alterations are proposed to the existing access. There are no highways objections to the proposals.
33. Taking the above into account, it is considered the proposals are acceptable in highway terms.

Residual Matters

34. The applicant has stated the demolition will affect the boundary wall of the adjoining properties and confirms the exposed party wall will be reinstated in a sympathetic and weather proof manner and party wall agreements will be entered into with adjacent land and building owners.
35. With regard to surface water and flood risk, the applicant states a positive drainage system will be installed with a positive outlet to the local highway drainage system. The proposed levels of the car park will not be greater than the existing ground levels to ensure the development will not affect any floodwater.

CONCLUSION

36. It is recommended that the application be Approved with Conditions for the reasons specified above.

Director of Economic Growth and Development
Contact Officer Miss Ruth Hindmarch Telephone No 01642 526080

WARD AND WARD COUNCILLORS

Ward Stockton Town Centre

Ward Councillor(s) Councillor Paul Kirton

Ward Councillor(s) Councillor Di Hewitt

IMPLICATIONS

Financial Implications: none

Environmental Implications: as per 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

National Planning Policy Framework 2012
Stockton on Tees Local Plan Adopted 1997

Core Strategy – 2010
Application file 17/2573/LAC