

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
7 November 2018
REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT**

18/1702/REM

Land at Urlay Nook Road, Eaglescliffe

Reserved matters application for the appearance and landscaping for an industrial estate comprising the erection 30 units for B2 and B8 use class to include appearance and landscaping and associated means of access

Expiry Date: 9 October 2018

SUMMARY

The application site relates to an area of land to the south of Urlay Nook Road and north of the A67 and wraps around the existing Elementis Recreational Ground, the Police Tactical Training Centre and a separate office block. To the north is a railway line, the former Elementis site which has recently gained approval for use as the Great North Air Ambulance HQ and Allens West Logistics Centre. To the east is a residential development which was originally given outline approval on 2 December 2013 (Application: 13/2184/OUT). The reserved matters application for the erection of 145 no dwellings with associated garaging/parking, highways, open space and landscaping was approved on 3rd July 2014 (Application 14/0925/REM). The site is nearly complete although the developers, Taylor Wimpey are still on site.

Outline planning permission was approved for an industrial estate comprising the erection of B2 and B8 use class units. The application gained approval for access arrangements, layout and scale of the development with matters in relation appearance and landscaping reserved for later approval.

The site is within the limits to development identified in the Stockton on Tees Local Plan and is identified by Policy IN2 (o) as a site for general industry and storage and distribution.

114 Objections have been received from the neighbouring properties and the Police Tactical Training Centre, however many of these relate to the principle of development which has already been established by the outline application.

The proposed landscaping of the site and external appearance of the buildings are considered acceptable and it is considered that there are no sustainable planning reasons which would deem this reserved matters application to be unacceptable.

RECOMMENDATION

That planning application 18/1702/REM be approved subject to the following conditions and informative;

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

Plan Reference Number	Date on Plan
URLAY-RYD-00-XX-DR-L-2001-S2-P02_Masterplan	1 October 2018
URLAY-RYD-00-XX-DR-0L-2101-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-2102-S2-P02	1 October 2018

URLAY-RYD-00-XX-DR-L-2103-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-2106-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-2109-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-2110-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-2113-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-2114-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-2115-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-2116-S2-P01	1 October 2018
URLAY-RYD-00-XX-DR-L-2116-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-2403-S2-P01	1 October 2018
URLAY-RYD-00-XX-DR-L-7001-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-7002-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-7003-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-7006-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-7013-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-7015-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-7016-S2-P02	1 October 2018
URLAY-RYD-00-XX-DR-L-0001 P01	20 July 2018
AIA EXI EAST	20 July 2018
AIA EXI WEST	20 July 2018
AIA TPP EAST	20 July 2018
AIA TPP WEST	20 July 2018
AMS EXI EAST	20 July 2018
AMS EXI WEST	20 July 2018
AMS TPP	20 July 2018
URLAY-RYD- 00-00-DR-A-3009 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3001 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3002 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3003 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3004 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3005 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3006 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3007 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3008 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3010 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3011 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3012 P01	20 July 2018
URLAY-RYD-00-00-DR-A-3013 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-2104 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-2105 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-2107 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-2108 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-2111 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-2112 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-7004 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-7005 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-7007 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-7008 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-7009 P01	20 July 2018

URLAY-RYD-00-XX-DR-L-7011 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-7012 P01	20 July 2018
URLAY-RYD-00-XX-DR-L-7014 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3601 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3602 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3603 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3604 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3605-P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3606 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3607-P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3609 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3610 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3611 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3612 P01	20 July 2018
URLAY-RYD-00-ZZ-DR-A-3901 P01	20 July 2018
RYD-00-XX-DR-L-2402 REV P01	23 July 2018
RYD-00-XX-DR-L-2403 REV P01	23 July 2018
RYD-00-XX-DR-A-0001 P2	31 July 2018
URLAY-RYD-00-ZZ-DR-A-3608 REV P01	1 August 2018
URLAY-RYD-00-ZZ-DR-A-3613 REV P01	1 August 2018

Reason: To define the consent.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

Informative: Police Tactical raining Centre

The Applicants should contact the Police Tactical Training Centre prior to commencing works to engage with this neighbour who has particular requirements during construction.

Informative: Network Rail

The Applicants attention is drawn to the comments from Network Rail which contains a significant amount of information which should be adhered to during construction.

BACKGROUND AND HEADS OF TERMS

1. Outline planning permission was approved for an industrial estate comprising the erection of B2 and B8 use class units. The application gained approval for access arrangements, layout and scale of the development with matters in relation appearance and landscaping reserved for later approval. In terms of details the following reserved matters have already gained approval

"access", means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

"scale" means the height, width and length of each building proposed within the development in relation to its surroundings;

2. The following details are what are under consideration as part of this reserved matters application.

"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

As part of the outline approval the applicant entered into a Section 106 Agreement which would provide;

- Contribution to the Council to provide low floor bus stops and shelters on Urlay Nook Road
- Contribution to implement TROs for various weight restrictions to ensure HGVs use major routes, alleviating congestion and unsuitable use of local roads, in conjunction with the opening of the proposed Long Newton interchange
- Contribution in respect of the signing and lining traffic calming scheme at the A67/Urlay Nook Road priority junction
- Contribution towards the A67 improvement works

SITE AND SURROUNDINGS

3. The application site relates to an area of land to the south of Urlay Nook Road and north of the A67 and wraps around the Elementis Recreational Ground; the Police Tactical Training Centre and a separate office block. To the north is a railway line, the former Elementis site which has recently gained approval for use as the Great North Air Ambulance HQ and Allens West Logistics Centre.
4. To the east is a residential development which was originally given outline approval on 2 December 2013 (Application: 13/2184/OUT). The reserved matters application for the erection of 145 no dwellings with associated garaging/parking, highways, open space and landscaping was approved on 3rd July 2014 (Application 14/0925/REM). The site is nearly complete although the developers, Taylor Wimpey are still on site.
5. The site is within the limits to development identified in the Stockton on Tees Local Plan and is identified in Policy IN2 (o) as a site for general industry and storage and distribution.

6. The emerging plan will take this area outside the limits to development and going forward is no longer allocated for a land use. In relation to this matter, whilst consultation responses submitted to the emerging Local Plan promoted housing development (and mixed use development during submissions to the Local Plan examination) at the site, it has not been proposed for allocation within the emerging Local Plan and is proposed to be placed outside of the limits to development. The reasons for not allocating the site in the Local Plan put forward at examination included the site not being considered suitable for housing, the Employment Land Review recommendations that the site not be allocated and that the outline consent was due to lapse in the near future. For these reasons the site was proposed to be placed outside of the limits to development.
7. The outline consent did not expire and the reserved matters is submitted for consideration.

PROPOSAL

8. The current application is a reserved matters application seeking approval for the appearance and landscaping in association with the erection of 17 units for general industrial use (B2 use) and 13 for storage and distribution (B8).
9. The siting and scale of the units have already been agreed and therefore only the appearance is under consideration. The general appearance of the buildings are a contrast of light and dark grey cladding with aluminium roof cladding. The units will have a flash of orange around entrances and the entrance doors will be orange too. Some have curtain walling with a glazed orange panel and roof lights.
10. The landscaping details have been submitted and provide full details of the access, bunds and landscaping around the site.
11. Access to the wider highway network is via a new access onto Urray Nook Road which was established as part of the outline application.
12. It should be noted that an application to discharge the technical details in relation to the planning conditions has been submitted for consideration (application 18/1703/APC) and all conditions will be required to be discharged at the appropriate time.

CONSULTATIONS

13. The following Consultations were notified and the most recent comments received are set out below:-
14. Highways, Transport and Design Manger
General Summary: The Highways, Transport and Design Manager has no objection to the proposed Reserved matters application for the appearance and landscaping for an industrial estate comprising the erection 30 units for B2 and B8 use class to include appearance and landscaping and associated means of access.
Highways Comments: This is a Reserved Matters application (appearance and landscaping) for an industrial estate comprising the erection 30 units for B2 and B8 use class to include appearance and landscaping and associated means of access.
Details of on-site staff accommodation, storage of plant and materials, parking and manoeuvring of site operatives and visitor vehicles, together with the unloading and loading of goods vehicles for the period of construction of any phase of development should be agreed prior to the commencement of development. Details of the measures to be taken to prevent mud, dirt and debris being carried on to the adjoining highway as a result of site construction works should also be agreed prior to commencement of development. The requirement to provide this information has been secured by controlling conditions attached to the previously approved outline application 08/0241/OUT.

Traffic Impact: The principles for the construction of an industrial development in this location have previously been established through the outline planning application for the Urlay Nook development (08/0241/OUT).

Therefore the impact on both the local and strategic highways network, which has previously been considered and accepted as a part of extant approval 08/0241/OUT, is not a material consideration of this current application.

Vehicle Access: The site will be accessed from Urlay Nook Road, via a new priority T junction, and the principle of the proposed access arrangements were considered and accepted at outline stage.

The applicant has submitted a drawing, ref C-GA-215 P1 MAIN ACCESS ROAD JUNCTION, showing the proposed junction arrangement which is in accordance with the outline approval and is therefore considered to be acceptable.

Layout/Parking: The site layout, which includes the internal road network, parking provision and servicing arrangements, were considered and accepted at outline stage.

Therefore the layout of the proposed scheme, which has previously been considered and accepted as a part of extant approval 08/0241/OUT, is not a material consideration of this current application.

Landscape & Visual Comments: Having reviewed the updated detailed planting plans for the site, it is agreed that the soft landscape proposals will provide an attractive setting to the industrial estate and substantial boundary planting to screen the estate and integrate the development into the landscape. The species mix proposed includes a range of native trees and shrubs, with some ornamental species in key locations within the estate

The proposed planting along the eastern boundary is substantial, to ensure that the industrial estate development is screened from the adjacent residential area of Sadler's View to the east. This boundary includes a mound planted with young whips, and semi-mature trees 4-5m tall. The mix also includes some mature 20-25cm trees (5-6m in height) within the mix. The species mix within this landscape buffer is limited to a range of native trees and shrubs.

The planting buffer is located due west of properties on the western edge of the Sadler's View development. Mature and semi mature trees are planted at least 5m from the site boundary fence, to limit potential shading of west facing gardens in the evening, whilst still providing necessary screening. A useful section drawing (Drawing ref: URLAY-RYD-00-ZZ-DR-A-2902-S2-P02) is included demonstrating the height of the mound and proposed planting in relation to the existing housing.

Once implemented the combination of the mound and soft landscape treatment will filter views of the industrial estate from the adjacent site immediately due to the inclusion of semi-mature and mature trees within the planting mix. However, as the planting matures increasing in density and height it is considered that the screen will largely obscure views to the new structures.

15. Office of the Police & Crime Commissioner for Cleveland - Cleveland & Durham Constabulary Tactical Training Facility Urlay Nook Road

I act on behalf of all interested parties at the Tactical Training Centre (TTC) and would like to express the following considerations and concerns.

From a counter terrorism point of view the current threat from international terror groups towards the UK is 'Severe' - meaning an attack is highly likely, including towards the Police service. We know that the use of motor vehicles as a weapon is the current method of choice. Therefore, increasing the ability for motor vehicles to have improved access around the TTC site is something that concerns us. At present vehicle access to our centre can only be gained via the front entrance (which is controlled by access control and CCTV).

Due to the fact that we are a police operational training facility, we have strong concerns over the plans open visual sight line to our facility. Can the planning application process put an onus on the applicant to carry out civil engineering work, to create a hostile landscape towards vehicle access and deterrents to the visual sightline onto our site? This would be to restrict the ability for unit users (or visitors to the site) from being able to watch police operations take place, training methods used or identify officers and their use of firearms.

Previous housing applications on the same proposed area have included a bunded boundary, topped with secure fence line and topiary so we would hope that something similar would form part of any consent, at the cost of the applicant.

The TTC also has the requirement for helicopter landing capabilities to the south rear of the site, so we would need reassurance that no developments would have any impacts on this (i.e. flight path obstructions etc.). I would also like to take this opportunity to highlight the frequent noise emitted from our site, due to the centre being a live firing range (that has the capability to be used on a 24/7/365 basis). Firearms training can be both inside and outside of the building, therefore previous applications have resulted in Stockton Borough Council carrying out various noise level assessments to ascertain noise levels exerted from various weaponry and equipment used. The readings and assessments within your records will still be relevant.

Finally should any subsequent application be granted following consideration and appropriate action of the above considerations, we would politely request that we are included or sighted on any sort of construction planning/governance meetings. Operational access and egress to our site is required 24/7/365, so we would need to ensure that no part of the construction has a detrimental impact on the TTC or surrounding infrastructure at any time, so would be content to advise accordingly. Should Stockton Borough Council wish to discuss any of the above further I would be happy to arrange for a meeting on site, whereby we would be able to demonstrate the above concerns.

I can confirm that the areas addressed previously raised in my letter of the 17th August remain. Although we can see that some minor changes have been made to the application proposal, the same concerns continue with the revised plan.

16. Parish Council

Egglescliffe & Eaglescliffe Council has no objections to this application provided that safe access can be achieved and suitable landscaping agreed. The provision of landscaping is good but should be examined to ensure that species of trees and general planting are of types resistant to pollution from vehicles. The provision of some units for light industrial use should be welcomed as providing some employment within easy reach by sustainable means (on foot/cycle) of large areas of housing in Eaglescliffe. Several small units would seem preferable to one or two very big ones that would probably bring large HGVs onto roads that are not really designed for them.

17. Principal Environment Officer

No comments

18. Environmental Health Unit

I have checked the documentation provided, have found no grounds for objection in principle to the development and do not think that conditions need to be imposed from an Environmental Health perspective regarding the appearance and landscaping.

19. Northumbrian Water Limited

We would have no issues to raise with the application. 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 Northumbrian Water have the following comments to make on the above application, provided the application is approved and carried out within strict accordance with the submitted documents entitled "Proposed Drainage Arrangement Sheet 1" and "Proposed Drainage Arrangement Sheet 2". In these documents it demonstrates that the foul flows shall discharge to the existing 450 foul sewer, whilst the surface water flows shall discharge to the existing watercourse. We would

therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

Condition: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Proposed Drainage Arrangement Sheet 1" and "Proposed Drainage Arrangement Sheet 2" dated "July 2018". The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 7201 and ensure that surface water discharges to the existing watercourse.

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

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy.

For information only: We can inform you that a trunk water main crosses the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus and therefore we will be contacting the developer direct to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We will be contacting the developer/agent directly in this matter, however, for planning purposes you should note that the presence of our assets may impact upon the layout of the scheme as it stands.

20. The Environment Agency

Environment Agency Position: Having assessed the supporting application I can advise that we have no objections to the proposed development. Our previous response to application 18/1703/APC recommended discharge of Condition 22 of 08/0241/OUT based on the submitted geo-environmental report which has also been submitted as part of this reserved matters application. We therefore have no further comments to make at this time.

21. Northern Gas Networks

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.

22. Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met, particularly in relation to units 21-27 adjacent to the railway boundary,

Fail Safe Use of Crane and Plant: All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks: All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network

Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

Security of Mutual Boundary: Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Fencing: Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Method Statements/Fail Safe/Possessions; Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

Vibro-impact Machinery: Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

Scaffolding: Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

ENCROACHMENT: The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Trees/Shrubs/Landscaping: It appears from details submitted that the landscaping scheme will be acceptable. However, we would remind the developer of our landscaping requirements as follows;

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when

fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata “Zebrina”

Not Acceptable: Acer (Acer pseudoplatanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

A comprehensive list of permitted tree species is available upon request.

Lighting: Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Access to Railway: All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

I would advise that in particular the boundary fencing, method statements and lighting should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

PUBLICITY

23. It should be noted that many comments relate to not being consulted which is acknowledged. Neighbours were originally notified by transferring all those consulted from the Outline Application. After a site visit and following receipt of various letters it was noted that the new Taylor Wimpey development had not been consulted and this was then rectified. A site notice and press advert was considered to be sufficient to capture comments from other neighbours who are sited further afield and wish to comment.

24. Neighbours were notified by letter, site notice and press advert and comments were received from the following addresses with the content summarised below. Full detailed comments can be found at <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

1. Daniel Ball 9 Castle Dyke Wynd Yarm
2. Mr Shaun Carr 6 Cleveland Avenue Darlington
3. Andy And Lynda Bliss 4 Clifton Avenue Eaglescliffe
4. Mrs Angela Williams 35 Coatham Vale Eaglescliffe
5. Mr Anthony Power 15 Cotherstone Close Eaglescliffe
6. Mrs Helen Cowper, 18 Cotherstone Close
7. Mrs J Phillips 20 Cotherstone Close Eaglescliffe
8. Mr Wayne Boyes 22 Cotherstone Close Eaglescliffe
9. Chris And Jodi Eccles 1 Dyce Close Eaglescliffe
10. Mr Mark Wood 2 Dyce Close Eaglescliffe
11. Ms J Flint, 4 Dyce Close, Eaglescliffe
12. Miss Louise Rennison 7 Dyce Close Eaglescliffe
13. Mr N Reeves 9 Dyce Close Eaglescliffe

14. Mr Christopher Cox 10 Dyce Close Eaglescliffe
15. Miss Vicky Cockburn 11 Dyce Close Eaglescliffe
16. Miss Susan Gregory 12 Dyce Close Eaglescliffe
17. Dr Karen Gair 15 Dyce Close Eaglescliffe
18. Miss Julie Simpson 20 Dyce Close Eaglescliffe
19. Mrs Helen Simmons 22 Dyce Close Eaglescliffe
20. Charlotte Pennock 24 Dyce Close Eaglescliffe
21. Margaret Waters 9 Emsworth Drive Eaglescliffe
22. Dr Sean Axon 8 Ettersgill Close Eaglescliffe
23. Mrs Sylvia Taylor 8 Fairfield Close Stockton-on-Tees
24. Mr Robert Taylor 8 Fairfield Close Stockton-on-Tees
25. Malcolm Roper 55 Fearnhead Marton In Cleveland
26. Miss Josephine Turner 1 Goosepool Drive Eaglescliffe
27. Craig And Claire Murphy 2 Goosepool Drive Eaglescliffe
28. Raymond And Betty Lathan 4 Goosepool Drive Eaglescliffe
29. Mr Steven Clark 9 Goosepool Drive Eaglescliffe
30. Mrs Joanne Ferguson clark 9 Goosepool Drive Eaglescliffe
31. Mr Simon Athey 10 Goosepool Drive Eaglescliffe
32. Mrs Chelsea Mulroy 11 Goosepool Drive Eaglescliffe
33. Mr Kiamil Moussa 13 Goosepool Drive Eaglescliffe
34. Mrs K Moussa 13 Goosepool Drive Eaglescliffe
35. Mr Antony Hamling 14 Goosepool Drive Eaglescliffe
36. Mrs Gemma Franklin 15 Goosepool Drive Eaglescliffe
37. Sarah Freeman 16 Goosepool Drive Eaglescliffe
38. Mrs Andrea Pearson 19 Goosepool Drive Eaglescliffe
39. Mr Matthew Norminton 20 Goosepool Drive Eaglescliffe
40. Andrew and Jun Hamilton 21 Goosepool Drive Eaglescliffe
41. Miss Zarah Ahmed 26 Goosepool Drive Eaglescliffe
42. Mrs Alison Corner 28 Goosepool Drive Eaglescliffe
43. Mrs Julie Jameson 32 Goosepool Drive Eaglescliffe
44. Miss Amy Keelty 33 Goosepool Drive Eaglescliffe
45. Mrs Rebekah Ward 34 Goosepool Drive Eaglescliffe
46. Mr Melvyn Hope 37 Goosepool Drive Eaglescliffe
47. Miss Hayley Moohan 38 Goosepool Drive Eaglescliffe
48. Mr J Redfern 39 Goosepool Drive Eaglescliffe
49. Colin Airey 40 Goosepool Drive Eaglescliffe
50. Sophie Evans 42 Goosepool Drive Eaglescliffe
51. Mrs Sarah Elliott 46 Goosepool Drive Eaglescliffe
52. Laura McVey 47 Goosepool Drive Eaglescliffe
53. Phil Sharpe 50 Goosepool Drive Eaglescliffe
54. Miss Abbie McCue 51 Goosepool Drive Eaglescliffe
55. Mark Jenkins 52 Goosepool Drive Eaglescliffe
56. Jennifer Challinor And Carl Robson-Cross 54 Goosepool Drive Eaglescliffe
57. Sandra Ahmed 56 Goosepool Drive Eaglescliffe
58. Jordan Miller And Alex Harrison 59 Goosepool Drive Eaglescliffe
- 59.
- 60.
61. Mr Paul Coleby 1 Grassholme Way Eaglescliffe
62. Patrick Mcgrath 5 Grassholme Way Eaglescliffe
63. Mrs K Rye 30 Grassholme Way Eaglescliffe
64. Ian Hunter 31 Grassholme Way Eaglescliffe
65. Phil Bliss 34 Grassholme Way Hunters Green
66. Laura Bliss 34 Grassholme Way Eaglescliffe
67. Mr D Underwood 54 Grassholme Way, Eaglescliffe
68. Mrs Susan Coverdale 56 Grassholme Way Eaglescliffe
69. Mrs Alex Wilde 58 Grassholme Way Eaglescliffe

70. Mr Robert Wilde 58 Grassholme Way Eaglescliffe
71. John Fletecher 3 Hoylake Way, Eaglescliffe,
72. Tracey Wright 2 Hunters Green Eaglescliffe
73. Mrs & Mrs Leighton 7 Hunters Green Eaglescliife
74. Mr Alex Rinaldi 6 Kirkwall Walk Eaglescliffe
75. Mr Richard Osborne 7 Kirkwall Walk Eaglescliffe
76. Ms Joanne Burnley 9 Kirkwall Walk Eaglescliffe
77. Trevor Watson 11 Kirkwall Walk Eaglescliffe
78. Mrs Gillian Watson 11 Kirkwall Walk Eaglescliffe
79. Ms Rebecca Jackson 13 Kirkwall Walk Eaglescliffe
80. Mr Tim Jackson 13 Kirkwall Walk Eaglescliffe
81. Dr Alan Batterham 14 Kirkwall Walk Eaglescliffe
82. Mr D C McDonald 19 Kirkwall Walk Eaglescliffe
83. Mrs Jayne Carr 22 Kirkwall Walk Eaglescliffe
84. Mrs N Gilchrist 14 Langdon Way, Eaglescliffe, Stockton-on-Tees
85. Mrs Gillian Scott 1 Middleton Close Eaglescliffe
86. Mr Anthony Sandys 3 Newbiggin Close Eaglescliffe
87. Mr Antony Smith Sumburgh Close Eaglescliffe
88. Clark Smith 2 Sumburgh Close Eaglescliffe
89. Sarah Humber 2 Sumburgh Close Eaglescliffe
90. Mrs Cheryl Roper-Smith (resident Of Sadlers View) 3 Sumburgh Close Eaglescliffe
91. Miss Lauren Bestwick 4 Sumburgh Close Eaglescliffe
92. Mrs Beverley Robertson 6 Sumburgh Close Eaglescliffe
93. Mr Mark Robertson 6 Sumburgh Close Eaglescliffe
94. Mr Anthony Denham 7 Sumburgh Close Eaglescliffe
95. Ms Karen Warren 8 Sumburgh Close Eaglescliffe
96. Mr Gavin Hall 8 Sumburgh Close Eaglescliffe
97. Mr Michael Johnson 12 Sumburgh Close Eaglescliffe
98. Keith And Sarah Martin 13 Sumburgh Close Eaglescliffe
99. Jonathan Oakley 14 Sumburgh Close Eaglescliffe
100. Jemma Stewart 15 Sumburgh Close Eaglescliffe
101. Gary Marshall 16 Sumburgh Close, Sadlers View
102. Kathleen Coverdale 19 Sumburgh Close Eaglescliffe
103. Mr Paul Hassack 23 Sumburgh Close Eaglescliffe
104. Mrs Rebecca Hassack 23 Sumburgh Close Eaglescliffe
105. Mrs Laurie Kidd 24 Sumburgh Close Eaglescliffe
106. Paul Beet 26 Sumburgh Close Eaglescliffe
107. Occupier 28 Sumburgh Close Eaglescliffe
108. Susan Hayward 28 Sumburgh Close Sadlers View Eaglescliffe
109. Mrs Diane Scriven 1 Turnhouse Road Eaglescliffe
110. Mr Curtis-Marshall & Mrs Andrea Joy Marshall 2 Turnhouse Road Eaglescliffe
111. Mr Andrew Oates 3 Turnhouse Road Eaglescliffe
112. Mrs Amanda Marshall The Gables Uray Nook Road
113. Mr R Lewis Manor House, Darlington Road, Long Newton, Stockton-on-Tees TS21 1BX

The objections received can be summarised as follows;

- Why develop on greenfield land when there is already brown field / industrial land elsewhere in the borough which would be highly suitable for this type of development and where there is a social and economic development need (e.g. Billingham)
- There is no need as unoccupied units already exist on Durham Lane
- Market Assessment provided for the outline planning application is no longer valid following the EU referendum in 2016 and how subsequent BREXIT process trade implications will have on demand for such units

- Adverse visual impact being so close to a new housing estate.
- The proposed earth embankment is insufficient offering no protection to noise and light pollution
- Increased traffic movements will present a higher hazard to pedestrians crossing Urlay Nook Road
- Any increase in HGV vehicles using this road will add to existing problems.
- Current proposed access onto Urlay Nook Road is not suitable
- Increased traffic movements will damage existing infrastructure
- the proposal would encourage heavy vehicles exceeding the speed limit onto Urlay Nook Road through the middle of two residential estates
- Increased noise throughout the day and night from traffic movements
- Transport assessment figures from outline application do not seem to make sense and appear to be grossly underestimated and need to be reviewed
- Access should be taken from the existing clearing between the trees directly onto the A67 and other suggestions made re: access and traffic safety
- Circumstances have changed greatly since the original Planning Application was submitted in 2007 because the housing development Sadlers View did not exist. The impact assessments such as environment, traffic etc. should now be re-assessed in the light of the current circumstances.
- increased air pollution
- Fumes/ Smell - from both the increased traffic and from the units themselves
- The increase in light and noise pollution affecting Sadlers View residents
- Was the application from Taylor Wimpey to build houses on the adjoining site at Sadlers View, considered alongside this proposed development
- No minimum green belt distance between new industrial and residential areas have been considered for this application.
- Damage to habitats through loss of trees, hedgerows, arable/uncultivated land and through human disturbance would be inevitable were the scheme to proceed.
- land is contaminated
- effect on protected species, no contingency plans (bats, newts and variety of birds)
- all environment impact studies being out of date and not reflecting the current/recent environment of the proposed development
- More recent tree surveys also raised the issues of bird and bat populations.
- Lack of consultation
- Drawings do not show the Sadlers View Development
- Inaccurate reports (referring to Sadlers View as grassland)
- Impact on electrical infrastructure
- Residents of the Sadlers View development were told that this land would be developed by for residential purposes
- Devaluation of the properties
- Increase in crime and burglary.
- Queries over the financial status of 'West Raynham Developments'
- There is inconsistency in the mapping of the extent of the Application Site.
- possible collapse of underground disused pipes due to building work (has previously occurred in surrounding areas)
- Half the green space that the residents of Sadlers View were promised and are due to pay upkeep for is now not going to be there, neither are the completion of the paths that were due to circle phase 1 and 2.
- Noise during construction – can a CEMP be conditioned
- Has a contaminated land risk assessment been undertaken
- Has a BREEAM assessment being undertaken on the development
- There is a significant of car park illustrated but there does not appear to be any electric vehicle recharging points proposed.
- The bund (1 in 4) will not work and will not provide screening or mitigate impacts.

PLANNING POLICY

25. 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 January 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

26. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;
- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- 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.

Local Planning Policy

27. 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.
6. A range of employment sites will be provided throughout the Borough, both to support existing industries and to encourage new enterprises. Development will be concentrated in the conurbation, with emphasis on completing the development of existing industrial estates. The main exception to this will be safeguarding of land at Seal Sands and Billingham for expansion of chemical processing industries. Initiatives which support the rural economy and rural diversification will also be encouraged.

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.

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.

Core Strategy Policy 4 (CS4) - Economic Regeneration

1. A range of opportunities will be provided within the employment land portfolio to meet the requirement set out in the Regional Spatial Strategy, as follows:

- _ General Employment Land 255 hectares (ha)

- _ Key Employment Location (Wynyrd) 70 ha

- _ Durham Tees Valley Airport 50 ha

- _ Land for Chemical and Steel Industries, up to 445 ha

2. The main locations for general employment land will be:

- _ Durham Lane Industrial Estate. 40 ha

- _ Belasis Technology Park 20 ha
 - _ Teesside Industrial Estate 30 ha
 - _ Urray Nook 20 ha
 - _ Core Area 10 ha
3. Land for general employment uses will be released in phases as follows:
- a. 2004 - 2011 0 ha
 - b. 2011 - 2016 60 ha
 - c. 2016 - 2021 60 ha
 - d. 2021 - 2024 40 ha
4. The target for the annual average development of all types of employment land is 13 hectares over the life of the Core Strategy.
8. Additionally, support will be given to:
- i) Suitable enterprises that require a rural location and which support the rural economy and contribute to rural diversification;
 - ii) The establishment of new enterprises, particularly where related to existing industries, assisting them to evolve with advancing green technologies;
 - iii) The expansion of research-based businesses associated with Durham University's Queen's Campus;
 - iv) Growth in sustainable tourism, particularly in the following locations:
 - a. The River Tees as a leisure, recreation and water sports destination, with regard given to the protection and enhancement of the character of tranquil areas along the river corridor between the towns of Stockton and Yarm;
 - b. Preston Park;
 - c. Sites linked to the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution; and
 - d. Saltholme Nature Reserve.
 - v) The creation of employment and training opportunities for residents by developers and employers.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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

Saved Policy IN2 of the adopted Stockton on Tees Local Plan

Land is allocated for general industrial or storage and distribution uses (Classes B2 and B8) at the following locations:

- (o) Urray Nook, Eaglescliffe 25HA

Saved Policy EN39 of the adopted Stockton on Tees Local Plan

The expansion of existing industrial or commercial undertakings in the vicinity of hazardous installations will normally be permitted if it can be shown that additional people and buildings will not be placed at unacceptable risk because of the proximity of the installation.

MATERIAL PLANNING CONSIDERATIONS

28. The principle of development has already been established through the approval of the outline application and therefore the only issues under consideration as part of this application are the appearance of the buildings and landscaping which are considered

below, nonetheless other issues that have been raised will also be addressed although are not for consideration as part of this application.

Appearance

29. The proposed buildings are of a modest height averaging 8.5 metres which has already been agreed as part of the outline application. The proposed buildings will be a simple contrast of light and dark grey with orange detailing for contrast. Some units have curtain walling with an orange glazed panel. The proposed design of the buildings are simple and will appear as functional buildings in the landscape.
30. Whilst the buildings are close to the adjacent residential site they are to be screened by substantial landscaping and a two metre high bund and this simple design will not seem out of character.

Landscaping

31. The applicant has discussed the proposed landscaping scheme with the Councils Landscape Architects and the plans as proposed have been enhanced and are considered acceptable. The landscaping ethos largely follows that as detailed in the original application.
32. The Highways Transport and Design Manager considers that the soft landscape proposals will provide an attractive setting to the industrial estate, provide substantial boundary planting to screen the estate and integrate the development into the landscape.
33. In terms of the Sadlers View Development, it is considered that the proposed planting along the eastern boundary is substantial, to ensure that the industrial estate development is screened from the adjacent residential area. This boundary includes a mound planted with young whips, and semi-mature trees 4-5m tall. The mix also includes some mature 20-25cm trees (5-6m in height) within the mix. The mature and semi mature trees are planted at least 5 metres from the site boundary fence, to limit potential shading of west facing gardens in the evening, whilst still providing necessary screening.
34. It is considered that once implemented the combination of the mound and soft landscape treatment will filter views of the industrial estate from the adjacent site immediately due to the inclusion of semi-mature and mature trees within the planting mix. However, as the planting matures increasing in density and height it is considered that the screen will largely obscure views to the new structures.
35. Comments in relation to the construction and suitability of the bund have been noted, however the development has been fully assessed by the appropriate officers and it is not considered that the bund or its suitability to provide screening (with landscaping) is unachievable.
36. Overall it is considered that the landscaping to be provided throughout the estate is acceptable with the landscaping creating tree lined avenues and landscaping screening provided on all boundaries with existing trees retained wherever possible.

Other Matters Raised

37. The original reports and decision notice for the outline application are attached for information however responses to the main objections raised by interested parties are as follows;

38. Need – As detailed above the principle of development has already been established and the site is allocated for B2 and B8 uses and therefore the issues in relation to need are not relevant to this application. Whilst it is acknowledged that in the emerging plan the site is unallocated and outside the limits to development this does not override the existing outline permission that exists for the site.
39. Conditions – The condition requested by NWL has not been added as the information submitted is to discharge a condition on the outline application and this will form part of the consideration of that application and controlled accordingly. The presence of the water main is already acknowledged by the applicant.
40. Traffic/Highways – The application will inevitably increase traffic within the area, however as this scheme has outline approval and the increase in traffic has been factored into all modelling for the area. The suitability of the roads and the access were considered at outline stage and were considered acceptable.
41. Impact on neighbours – It is acknowledged that when the outline application was submitted the Sadlers View development had not been approved however the existence of the outline application for the current development including the siting scale and access were taken into consideration when the residential developments were approved. The S106 agreements in relation to open space for the development are still relevant and should be delivered as agreed.
42. Comments from the Tactical Training Centre (TTC) are noted however the principle of development has been established. The police and the training centre were notified on the original outline application and no objections were received. The TTC is enclosed with its own security fencing and there is an area of land either side of the fence which remains undeveloped and landscape proposals show an avenue of trees along the southern boundary. Given the existing security arrangements in place and the use of the adjoining land which remaining unchanged, and the nature of the units proposed, it is considered that in respect of the two aspects under consideration (landscape and appearance) there are no reasons to warrant refusal of the application.
43. Noise – The application as submitted shows the units with no rear access other than emergency access doors. There is a condition to prevent external storage and all deliveries and parking are to the front. The units are fully insulated and should not lead to noise disturbance. Condition 33 on the outline application states *“Before any plant is brought into use the buildings, structure and plant shall be insulated against the emission of noise in accordance with a scheme to be approved by the Local Planning Authority. Such noise insulation shall be maintained thereafter to the satisfaction of the Local Planning Authority. Any new plant installed subsequent to the approval shall not increase background noise levels as agreed without the agreement in writing of the Local Planning Authority”*. It is considered that with these controls there should be no adverse impact on neighbours, however should any noise occur this will be considered under separate legislation as a statutory nuisance and appropriate action taken.
44. Pollution Control – A Construction Management Plan has been submitted to discharge conditions on the outline application. This includes controls to prevent any potential impact during construction. Given the conditions to prevent external storage and other such controls it is not considered that the development will adversely affect the amenity of nearby residents.
45. Lighting – There is a condition on the outline application which will need discharging prior to the installation of any external lighting.

46. Ecology – An updated report has been submitted to satisfy condition 37 of the outline application in relation to ecology.
47. Pipework/Piling – A condition on the outline application prevents piling or any other foundation designs using penetrative methods without the written consent of the Local Planning Authority. Damage to disused pipework would be dealt with as part of any build and would be appropriately managed.
48. Consultation – It should be noted that many comments relate to not being consulted which is acknowledged. Neighbours were originally notified by transferring all those from the Outline Application. After a site visit and following receipt of various letters it was noted that the new Taylor Wimpey development had not been consulted and this was then rectified. The notice and press advert would also capture any other interested parties.
49. Drawings – Comments were received in relation to the plans not showing the Sadlers View development, whilst not necessarily a requirement when considering the appearance of the units and the landscaping, this matter was rectified and the applicant provided additional plans. Comments were also made regarding the inclusion of additional land in the contaminated land reports, this is noted however the land under consideration is that included within the red edge.
50. Land Contamination - An assessment has been undertaken in accordance with the conditions attached to the outline application and any recommendations made will need to be fully met.
51. Sustainability – There is no requirement as part of the outline consent to be built to BREAAAM standards, however the sustainability statement submitted to discharge the pre-commencement conditions states that some elements will be to BREAAAM standards. A condition on the outline application will ensure that the predicted CO2 emissions for the development will be reduced by 10% through the use of onsite renewable energy equipment. Comments have been made regarding electrical charging points for vehicles, again there is no requirement to provide that at this stage in the development.
52. Other matters – matters in relation to the financial status of the applicant and devaluation of properties are not material planning considerations.

CONCLUSION

53. The principle of development has been established on the site and the access, layout and scale has already been agreed. Matters in relation to the appearance of the building have been fully considered along with the most appropriate landscaping for the site and both reserved matters are considered to be acceptable.
54. It is recommended that the application be Approved with Conditions for the reasons specified above.

Director of Economic Growth and Development
Contact Officer Elaine Atkinson Telephone No 01642 526062

WARD AND WARD COUNCILLORS

Ward	Eaglescliffe
Ward Councillor(s)	Councillor Phillip Dennis
Ward Councillor(s)	Councillor Stefan Houghton
Ward Councillor(s)	Councillor Laura Tunney

IMPLICATIONS

Financial Implications

There are no known financial implications in determining this application beyond those detailed in the Heads of Terms attached to the outline application. .

Legal Implications:

There are no known legal implications in determining this application.

Environmental Implications:

The outline assessment of the application, current application and the submission of the application to discharge the conditions will take into account the environmental impacts, the general character and appearance of the area as well as impacts on adjoining properties and the adjacent landscaping. It is considered that there would be no adverse impacts on these receptors.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report which has included an assessment of people's representations and a weighting up of the points raised. It is considered that no existing residents would be severely affected by the proposed development sufficient to warrant refusal of the application.

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 and the outline report. There are no notable impacts on community safety recognised within the assessment of this element of the development which is only for the landscaping of the site and the appearance of the buildings.

Background Papers:

The Town and Country Planning Act 1990.

National Planning Policy Framework

The Publication Draft Local Plan

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Application File and Relevant Planning History as referred to in the report.