

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

2nd June 2021

**REPORT OF DIRECTOR OF FINANCE,
DEVELOPMENT AND BUSINESS SERVICES**

20/2800/LAF

Land To Rear And Side Of 10 West Street, Yarm, TS15 9BU

Construction of 59 no. space public car park with associated external works to include landscaping and boundary treatments. Works to include part demolition of existing buildings including steel framed canopy building and access ramp.

SUMMARY

The application seeks planning permission for the construction of a 59 space public car park on land to the rear and side of 10 West Street Yarm. The car park will provide additional long stay car parking facilities for the centre of Yarm

Twenty three letters of representation have been received to the application in total containing support, objection and general representation comments on the application.

The main planning considerations of this application are the compliance of the proposal with national and local planning policy, the impacts upon the character and appearance of the area, impacts on neighbouring properties, impact on the conservation area, highway safety, flood risk, ecology, archaeology and other material planning considerations.

The impacts of the proposal have been considered against national and local planning guidance and the development as proposed is considered to be in line with general planning policies set out in the Development Plan.

The proposal is also considered acceptable in terms of highway safety, does not adversely impact on the neighbouring properties and character of the Conservation Area, ecological habitat, archaeology, flooding and is recommended for approval with conditions as set out below.

RECOMMENDATION

That planning application 20/2800/LAF be approved subject to the following conditions and informatives below;

01 Approved Plans;

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

Plan Reference Number	Date Received
TS10386-02-002	18 December 2020
TS10386-03-001	18 December 2020
TS10386-03-004	18 December 2020
TS10386-90-001	18 December 2020
TS10386-00-003	18 December 2020

19N2047-900-P1	18 December 2020
19N2047-901-P1	18 December 2020
TS10386-02-001A	18 December 2020
SLDS-3638-V1 REV B	6 January 2021
TS10386-03-003E	12 March 2021

Reason: To define the consent.

02 **Archaeology**

Recording of a heritage asset through a programme of archaeological works

A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason:- the site is of potential archaeological interest

03 **Drainage**

Development shall not commence until a detailed scheme for the disposal of 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 and the Lead Local Flood Authority. 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.

04 **Construction management plan (highways) /dust and demolition**

A Construction Management Plan shall be submitted and agreed in writing by the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, HGV Access time restrictions, loading and unloading of plant and materials; the parking of vehicles of site operatives and visitors; measures to effectively control dust emissions and dirt during construction, this shall address earth moving activities, control and treatment of stock piles, and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, and communication with local residents. The approved Plan shall be adhered to throughout the construction period.

Reason: In the interests of the occupiers of adjacent and nearby premises

05 **Land contamination – Preliminary Risk Assessment**

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.
- A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

The assessment must be undertaken in accordance with the Environment Agencies 'Land Contamination Risk Management' Guidance (2020), CIRIA C665 and BS87576: Guidance in investigations for ground gases.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water and land pollution

06 **Construction/ Demolition Noise**

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.

Reason:- in the interest of the amenities of the occupiers of neighbouring properties to guard against excessive **noise at unsociable hours.**

07 **Mitigation measures in the ecology report**

All mitigation and enhancement measures detailed in the submitted ecological report of Naturally wild dated October 2020 shall be implemented in full in accordance with the advice and recommendations contained within the document.

Reason: To conserve protected species and their habitat

08 **Lighting and management of the car park**

Notwithstanding the submitted information before development commences for the construction of the car park, precise details of the lighting , signage and Management Strategy shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme.

Reason: To ensure effective operations for the car parking and in the interests of residential and visual amenity, flood risk and ecology.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: 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 gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

Informative 2: Network Rail

Part of the proposals involve Network Rail owned land and in order to proceed with this element of the scheme, the developer must seek agreement with Network Rail Property on terms of use for this land. The developer should contact Property Services (propertyservicesLNEEM@networkrail.co.uk) to commence discussions on the use of this land and nay Network rail requirements.

Informative 3: Northumbrian Water sewer

The applicant is advised that a public sewer crosses the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer 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.

Informative 4: Northumbrian Water drainage solution

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:-

- o Soakaway
- o Watercourse, and finally
- o Sewer

If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates and points into the public sewer network.

Informative 5: Northern Gas Networks

Northern Gas Networks advise that there may be apparatus in the area that may be at risk during construction works and they require the promoter of these works to contact them directly to discuss the requirements in detail. Should diversionary works be required these will be fully chargeable.

BACKGROUND

1. The submitted design and access statement advises that Stockton Borough Council has been in discussions with landowners for a number of years to bring forward additional long stay parking in Yarm, which is conveniently located near Yarm High Street for workers.
2. In December 2013 Stockton-on-Tees Borough Council approved the implementation of 'Pay and Display' parking in Yarm High Street to address the long standing parking concerns, to improve the turnover of spaces and improve congestion. It has been identified that the implementation of 'Pay and Display' parking in Yarm High Street reduced the number of long stay car parking spaces in the High Street, leading to the potential to displace parking to surrounding residential areas. A residents parking and limited waiting scheme was introduced in the West Street further reducing long stay parking opportunities for workers.

SITE AND SURROUNDINGS

3. The site is to the rear of 10 West Street, Yarm which is known as the Arncliffe buildings site and is located just outside the High Street. The application site is currently unoccupied and consists of a warehouse building with associated hardstanding and parking. Access to the site is from West Street and there are a number of businesses (including Yarm Cycles, Yarm Martial arts Academy and Yarm Framing) adjacent to the site situated around a parking forecourt and the building containing these businesses will be retained
4. To the rear of the building is Yarm Viaduct beyond which is Low Church Wynd. To the north of the site is are the residential properties at Bridge Court, to the south of the site are the modern detached residential properties of West Mews and opposite the entrance to the site are the properties at Westgate.
5. The building to be demolished is constructed from a steel frame and the elevation are clad with blockwork and metal sheeting. The roof coverings are in the form of asbestos cement sheeting.

PROPOSAL

6. The application seeks planning permission to provide 59 no car parking spaces in a long stay public car park which will be located to the rear of 10 West Street, Yarm, with a direct pedestrian route from the car park along Low Church Wynd to Yarm High Street.
7. It is proposed to construct the car park from a non-porous tarmac surface with edging kerbs and an appropriate granular sub base suitable for the ground conditions. There are areas of associated landscaping with ancillary structures such as lighting and car parking apparatus such as ticket machine.
8. Vehicular access to the proposed car park will be from West Street through the existing entrance. Appropriate warning signs and evacuation procedures are proposed as part of the development to manage any flood event.

CONSULTATIONS

9. The following Consultations were notified and comments received are set out below (in summary):-
10. Tees Archaeology - I note the submission of an archaeological desk-based assessment, which details the potential for medieval remains to be present on the site. Evaluation trenches should be excavated to confirm the depth of any archaeological deposits on the site, with provision for further mitigation where appropriate. The archaeological work could be secured through a condition on the development
11. The Environment Agency - The development is classed as less vulnerable and we do not consider it to have an increased risk of on or off-site flooding, we therefore have no objection to this development. We remind you to consult with your emergency planners and the emergency services to confirm the adequacy of the evacuation proposals.
12. Network Rail – We note that part of the proposals involve Network Rail owned land and in order to proceed with this element of the scheme, the developer must seek agreement with Network Rail Property on terms of use for this land. We are aware that the developer has been in early stage discussions with our Asset Protection Team in respect of the design and implementation of this scheme and this dialogue should continue in order to ensure that the scheme can be delivered safely and without impact to operational railway safety.

The landscaping proposals near the railway should take into account requirements for future maintenance operations on the viaduct. It would be best to keep such features low key and low maintenance. Access to inspect and maintain the structure will be required on a 24/7 basis and should not be restricted by the proposed car park. In addition, any risk of vehicles hitting the viaduct pillars should be mitigated and suitable boundary treatments should be implemented to ensure this would not be possible, these details must be agreed with Network Rail.

13. Environmental Health Unit - no objections, subject to the imposition of the following conditions:

- Preliminary Risk Assessment land contamination
- Construction/Demolition Noise
- Light Intrusion
- Demolition and Dust Emissions

Air Quality;

Proposed traffic flow data provided by the applicant suggests the car park does not meet the criteria to warrant an air quality assessment as detailed by requirements in 'IAQM Land-use Planning and Development Control: Planning for Air Quality' as the proposal will not generate in excess of 500 AADT movements.

Noise

Based on proposed traffic flow data provided by the applicant it is anticipated that there will typically be no more than 25 vehicles arriving/ departing the car park within the busiest one-hour period. As such, it is not necessary for a noise impact assessment to be submitted as it is unlikely this volume of cars will cause noise levels to exceed the WHO external ambient levels or BS8233 internal noise levels.

14. Northern Gas Networks - 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.

15. Northumbrian Water Limited - The planning application does not provide sufficient detail with regards to the management of surface water from the development for Northumbrian Water 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 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 and the Lead Local Flood Authority. 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.

16. Highways Transport & Design Manager – no objections to the proposals.

Site Access / Layout

The proposed car park would be accessed via an existing access on West Street. Kerb build outs are proposed either side of the site access to improve visibility in both directions. Whilst the introduction of the kerb build outs will reduce some of the current on street parking provision on West Street it is not considered that this will adversely affect the on-street parking provision.

The site access arrangements are therefore considered to be acceptable as they would result in an improvement in the visibility available to a driver, in both directions, when re-joining West Street.

The proposed layout does not include for the provision of disabled parking bays due to the requirement to charge blue badge holders in off-street car parks. Instead, parking is available in the High Street without charge or restriction. A pedestrian connection, via Low Church Wynd, will also be provided.

Traffic Impact

Although the proposed car park will generate additional two-way movements on West Street, these would not necessarily be new traffic movements as they are anticipated to be associated with High Street businesses diverting from their current parking location to the new car park.

TIME	Predicted Two Way Flows (West Street)			TIME	Predicted Two Way Flows (West Street)		
	Car Park (Proposed)	Existing Flows	Combined Flows		Car Park (Proposed)	Existing Flows	Combined Flows
0:00		1	1	12:00	2	82	84
1:00		0	0	13:00	2	59	61
2:00		0	0	14:00	2	46	48
3:00		0	0	15:00	3	47	50
4:00		0	0	16:00	7	48	55
5:00		0	0	17:00	18	55	73
6:00		8	8	18:00	15	42	57
7:00	5	22	27	19:00		28	28
8:00	23	48	71	20:00		19	19
9:00	25	42	67	21:00		9	9
10:00	0	41	41	22:00		7	7
11:00	2	45	47	23:00		4	4

It is also worth noting that the peak period associated with the car park (09:00 to 10:00) does not coincide with the network peak on West Street (12:00 to 13:00). Based on the above it cannot be demonstrated that the proposals would have a severe impact on the highways network within the context of the NPPF.

Construction Traffic Management

Due to the location of the proposed development and in order to minimise disruption a Construction Traffic Management Plan will be required, and this should be secured by condition.

Landscape & Visual Comments

There are no landscape and visual objections to the proposed construction of a public car park.

Flood Risk Management

As the proposed development site is located wholly within Flood Zone 3 the Environment Agency will provide flood risk comments.

17. Yarm Town Council - Yarm Town Council voted to support this application on the condition that an amendment to the current plan is as follows:
 - a) traffic calming measures for West Street being added to the proposal and, related to this,
 - b) further information being provided as regards potential traffic flow.

PUBLICITY

18. Neighbours were notified and wider publicity given through a press advertisements and site notice. Those comments received are set out below (in summary);

Support comments received from:

1. Mr Patrick Morton ,44 High Street Yarm;
2. Yarm Business Forum Friends CIC , 135 - 137 High Street Yarm;
3. Mrs Amanda Day 50 High Street Yarm;
4. Mr Alan Simpson Contemporary Head Office,
5. Mr Adrian Rummel 27 Houghton Banks Ingleby Barwick,
6. Chris Johnson 57A High Street Yarm,
7. Mr Christopher O'Connor 12 Black Bull Wynd Eaglescliffe,
8. Mr Peter Monck, 44 West Street Yarm;
9. Miss Becky Crossan 135 - 137 High Street Yarm;
10. Mr Peter Farrage, Tees Villa Aislaby Road
11. Mrs Stephanie Richardson Ground And First Floors 44 High Street;
12. Mr Chris Younger 14 Roedean Drive Eaglescliffe

Support comments:

- Long stay car park well overdue and needed
- An essential parking option that would allow more spaces on the High Street to be used and improve accessibility to businesses and services
- Help business by freeing up spaces in the High Street for customers and visitors
- Improving an existing brownfield site which is an eyesore
- Best site available for extra long stay car parking
- encourage more out of town visitors and raise the profile of the area.
- Aid recovery of high street after such difficult times over the last year
- A long stay car park would benefit students who have training that last longer than 3 hours
- Yarm is held back by the perception it is difficult to park

Objection comments received from:

1. Mr Iain Wallace 12 Low Church Wynd, Yarm TS15 9BA,
2. Mr Paul Waterson 4 West Mews Yarm,
3. Mr David Jordan 3 West Mews Yarm;
4. Mrs Lee 14 Low Church Wynd Yarm

Objection Comments:

- Proposal will increase traffic on west street and put additional pressure on what is a quiet residential area.
- West Street due to the residents cars parked along it in one lane operates mostly as a one lane traffic system.
- Already experience cars travelling at speed up and down to avoid using the high street
- Lack of consultation
- Inaccurate information in Planning Design & Access Statement.
- Failure to apply correct assessment of Suds System and follow Government Guidance on drainage of carparks
- Impacts on the existing drainage system at Low Church Wynd
- Failure to comply with Stockton Councils Supplementary Planning Document 3: Parking Provision for Developments
- Noise, light and air pollution
- Concerns about demolition of the structure and asbestos contamination
- Outlook from properties at West Mews, lack of planting and screening
- Loss of privacy

- Wrong location for a car park
- Lack of traffic impact assessment
- Impacts on property values
- Impacts on nesting birds
- Existing poor surface and footpaths on west street
- Will the car park be closed at night, its already used as a late night gathering spot
- Too much spend on roads rather than pedestrians
- Visual impact of the car park on the conservation area

Comments of representation received from:

1. Mrs Lorraine Paterson 2 Mount Leven Road Yarm,
2. Mr Richard Harrison 56 Croft Road Eaglescliffe,
3. Mr David Powell 2 Westgate Yarm;
4. Mr Steven King 11 Low Church Wynd Yarm;
5. John Coulson 32 Rigby House The Meadowings ,
6. Mrs Charlotte Hems 30 West Street Yarm;
7. Ms P M Oddy 5 Bridge Court Yarm

- Car park must be suitably managed in respect of time of use and lighting
- Design it beautiful
- Provide residents parking availability within the car park
- 3 hours parking available on the High Street doesn't meet the needs of people visiting resulted in lost custom when some clients have chosen to go elsewhere.
- Since pay and display was brought into operation in Yarm businesses have struggled and as a result the high street has struggled. Even more so when parking restrictions were introduced on west street as a lack of car parking spaces increased congestion on the high street
- What are the proposals for resurfacing the whole of West Street?
- What are the proposals to reduce the speeding ie traffic calming measures on West Street?
- What are the proposals for access and egress from Bentley Wynd and Bridge Street?
- Additional car parking is only really needed in Yarm during the day, why not close it after 9pm until 7am and illuminate it at the appropriate times. This would also have the effect of removing noise disturbance of people returning to their cars from the pubs and restaurants late on a night.
- What provisions are under consideration, if any, to manage the additional traffic movements on West Street, Bridge Street and Bentley Wynd?
- What provisions are under consideration, if any, to monitor and control the speed in which vehicles move along West Street.

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 Stockton on Tees Borough Council Local Plan 2019.
20. 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 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

21. 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.

22. 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:
 - i. 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
 - ii. 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.

Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 131 '...the desirability of new development making a positive contribution to local character and distinctiveness.'

Paragraph 127. Planning policies and decisions should ensure that developments:

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution

180. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life

(c) limit the impact of light pollution from artificial light on local amenity

183. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities

190. 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. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal

192. In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

200. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance

Local Planning Policy

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

Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
- Specific policies in that Framework indicate that development should be restricted.

Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:

- a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.

- c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
- d) Enhancing woodlands and supporting the increase of tree cover where appropriate.
- j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.
- k) Supporting proposals within the Tees Heritage Park which seek to increase access, promote the area as a leisure and recreation destination, improve the natural environment and landscape character, protect and enhance cultural and historic assets, and, promote understanding and community involvement.
- l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.
- m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:

- a. Directing development in accordance with Policies SD3 and SD4.
- b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.
- c. Supporting sustainable water management within development proposals.
- d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.
- e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.
- f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.
- g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.
- h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.

3. Conserve and enhance the historic environment through a variety of methods including:

- a. Celebrating, promoting and enabling access, where appropriate, to the historic environment.
- b. Ensuring monitoring of the historic environment is regularly undertaken.
- c. Intervening to enhance the historic environment especially where heritage assets are identified as being at risk.
- d. Supporting proposals which positively respond to and enhance heritage assets.
- e. Recognising the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution.

4. Priorities for interventions to conserve and enhance the historic environment include the conservation areas of Stockton and Yarm, assets associated with the route of the Stockton & Darlington railway of 1825, the branch line to Yarm and associated structures, and assets identified as being at risk. These assets, along with Preston Park, are also the priorities for celebrating the historic environment.

Strategic Development Strategy Policy 6 (SD6) - Transport and Infrastructure Strategy

3. The Council will work with partners to deliver community infrastructure within the neighbourhoods they serve. Priority will be given to the provision of facilities that contribute

towards sustainable communities, in particular the growing populations at Ingleby Barwick, Yarm, Eaglescliffe, Wynyard Sustainable Settlement and West Stockton Sustainable Urban Extension.

4. To ensure residents needs for community infrastructure are met, where the requirement is fully justified and necessary, the Council will support planning applications which:
 - a. Provide for the expansion and delivery of education and training facilities.
 - b. Provide and improve health facilities.
 - c. Provide opportunities to widen the Borough's cultural, sport, recreation and leisure offer.

Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
- b. Landscape character of the area, including the contribution made by existing trees and landscaping;
- c. Need to protect and enhance ecological and green infrastructure networks and assets;
- d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
- e. Privacy and amenity of all existing and future occupants of land and buildings;
- f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
- g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
- h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.

2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

Transport and Infrastructure Policy 1 (TI1) - Transport Infrastructure

Delivering A Sustainable Transport Network

1. To support economic growth and provide realistic alternatives to the private car, the Council will work with partners to deliver an accessible and sustainable transport network. This will be achieved through improvements to the public transport network and routes for pedestrians, cyclists and other users.
- b. Suitable access is provided for all people, including those with disabilities, to all modes of transport.
- c. Sufficient accessible, and convenient operational and non-operational parking for vehicles and cycles is provided, and where practicable, incorporates facilities for charging plug-in and other ultra-low emission vehicles. Any new or revised parking provision is of sufficient size and of a layout to facilitate it's safe and efficient operation.
- e. New development incorporates safe and secure layouts which minimises conflict between traffic, cyclists or pedestrians.

Historic Environment Policy 2 (HE2) - Conserving and Enhancing Stockton's Heritage Assets

1. In order to promote and enhance local distinctiveness, the Council will support proposals which positively respond to and enhance heritage assets.

2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment that describes the significance of the asset(s) affected, including any contribution made by their setting. Appropriate desk-based assessment and,

where necessary, field evaluation will also be required where development on a site which includes or has the potential to include heritage assets with archaeological interest. Applicants are required to detail how the proposal has been informed by assessments undertaken.

3. Development proposals should conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. Where development will lead to harm to or loss of significance of a designated or non-designated heritage asset the proposal will be considered in accordance with Policy SD8, other relevant Development Plan policies and prevailing national planning policy.

5. Where the significance of a heritage asset is lost (wholly or in part) the Council will require developers to record and advance the understanding of the significance of the heritage asset in a manner proportionate to the importance of the asset and impact of the proposal. Recording will be required before development commences.

6. The following are designated heritage assets:

c. Conservation Areas - Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Egglecliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm

d. Listed Buildings

9. Where the Council identifies a building, monument, ruin, site, place, area or landscape as having significance because of its heritage interest, it will be considered a heritage asset.

11. Where archaeological remains survive, whether designated or not, there will be a presumption in favour of their preservation in-situ. The more significant the remains, the greater the presumption will be in favour of this. The necessity for preservation in-situ will result from desk-based assessment and, where necessary, field evaluation. Where in-situ preservation is not essential or feasible, a programme of archaeological works aimed at achieving preservation by record will be required.

12. Any reports prepared as part of a development scheme will be submitted for inclusion on the Historic Environment Record.

MATERIAL PLANNING CONSIDERATIONS

24. The main considerations of the application are the principle of the development and the requirements of the development plan, the impacts on the amenities of the area including landscaping and the amenities of neighbouring properties, the setting of heritage assets and any highway safety issues.

Principle of development;

25. The application site is within the defined limits to development as set out in the Stockton-On-Tees Local Plan and in close proximity to Yarm High Street, in the defined district centre of Yarm.

26. The intention is to create an additional long stay public car park to provide additional long stay facilities within Yarm reducing the risk of displacement car parking to residential streets and providing a long stay car parking facility for retailers, businesses, shoppers and visitors. The site lies within the limits to development and is not allocated for an alternative use the principal of development is therefore in broad accordance with the development plan subject to all other matters set out in turn.

Highway impacts;

27. The Highways Transport and Design Manager has provided comments on the application. The proposed car park would be accessed via an existing site access on West Street, which is located

opposite the junction of Westgate and West Street. The existing access, which serves a storage area to the rear of 10 West Street, could be brought back in to use without the need to seek planning permission.

28. To improve the site access, as a part of the current proposals, kerb build outs will be constructed either side of the site access to ensure that the available visibility in both directions is improved. The introduction of the kerb build outs will require the current on street parking provision to be reduced however, it is not considered that this will adversely affect the on-street parking provision on West Street.
29. The site access arrangements are considered to be acceptable as they would result in an improvement in the visibility available to a driver, in both directions, and is considered by the Highways Transport and Design Manager to provide suitable access arrangements for the development proposed.
30. The internal layout of the car park, has been designed broadly in accordance with the Councils design guide and SPD3: Parking Provision for Developments 2011 and the proposed site layout is also considered to be acceptable.
31. Comments raised in respect of vehicle trip generation, movements and additional traffic impacts on West Street and the surrounding streets is noted. advising that whilst the proposed car park will generate additional two-way movements on West Street however, these would not necessarily be new traffic movements. The likely peak period associated with the car park (09:00 to 10:00) does not coincide with the network peak on West Street (12:00 to 13:00) and the resulting highway traffic impacts would not have a severe impact on the highways network within the context of the NPPF.
32. Neighbours and the Town Council also request clarification on any additional works including traffic calming measures. Due to the existing on street car parking on West Street and resulting slow vehicle movements in the area, no traffic calming works are required or proposed to West Street.
33. Comments raised by objectors in respect of lack of disabled parking bays are noted. The proposed layout does not include for the provision of disabled parking bays due to the requirement to charge blue badge holders in off street car parks. Parking in the High Street is available for disabled drivers, without charge and restriction and therefore suitable alternative parking is available.
34. The car park is located within walking distance of Yarm High Street and a pedestrian connection, via Low Church Wynd, will be provided. It is therefore considered that the proposed car park provides suitable infrastructure and pedestrian routes to the High street to create appropriate linkages to the surrounding area.

Impacts on the character and appearance of the area/ setting of heritage assets

35. In determining the application, the Local Planning Authority must have due regard to the statutory duties of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66(1) requires the local planning authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 72(1) requires the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
36. The NPPF and the adopted Local Plan encourage high standards of design with Local Plan Policy SD8 setting out that new developments should be appropriate to the context of the surrounding area and be of an appropriate style, proportion and materials to the main building.

Policy HE 2 requires new development to positively respond to enhance heritage assets and conserve and enhance heritage assets, including their settings in a manner appropriate to their significance

37. The existing site is a mix of active commercial uses in the historic parts of the building with existing unused areas of hardstanding and a large modular canopy structure. The site lies within the Yarm Conservation Area and is identified in the Yarm Conservation Area Appraisal (SPD4: Conservation and historic Environment Folder) as a site suitable for redevelopment due to some of the unsightly buildings on site. In its current form there are elements of the site which clearly detract from the character of the conservation area. The large industrial canopy and the neglected nature of the site with pigeon detritus from pigeons roosting in the canopy, debris and unkempt nature negatively impacting on the character and appearance of the site and that of the amenity of neighbouring properties.
38. The intention is to retain the historic former sawmill structure at the site and remove the more modern construction elements to the rear and side of the site. In principle general site improvement works and the removal of these structures are considered to benefit the character and appearance of the conservation area subject to a suitable replacement development scheme.
39. In this instance a car park is proposed. It is recognised that by the very nature as open hard landscaped features that such a development may have an impact on the character and appearance of the surrounding area. In this instance limited landscaping is proposed however the resulting physical appearance and positive active use of the site is considered to bring with it benefits in respect of improving the visual amenities of the immediate site and for the outlook of neighbouring properties.
40. The NPPF requires that any harm to the character of a conservation area needs to be weighed against the public benefits of the proposal. The creation of long stay car parking facilities to support the businesses and visitors as well as residents in the town centre must be seen as a significant public benefit.
41. There are a number of listed structures in the vicinity such as the grade II listed viaduct to the rear of the site. Due to the nature and form of the proposal it is considered that the proposal is acceptable in respects of the wider impacts on the setting of listed buildings and heritage assets and it is not considered that there would be an adverse impact on the setting of these
42. The general layout, design, landscaping and boundary treatments proposed are considered to be acceptable for the context of the site and the setting of the neighbouring buildings. The proposal is therefore considered to conserve and enhance the immediate setting of the neighbouring building and will not adversely impact on character and significance of the conservation area. The proposal is therefore considered to comply with policies SD5, SD8 and HE2 in these respects.

Amenities of neighbouring properties;

Noise considerations

43. Objectors raises concerns in respect of noise and nuisance and general operation of the car park and use in later hours causing disturbance and light pollution. The immediate surrounding area is a mix of commercial and residential properties in a relative tight night grain of development close to Yarm High street. It is acknowledged that there will be a degree of noise and associated disturbance from comings and goings of vehicles and patrons using the car park; and that this may lead to a degree of impact on neighbouring properties through noise and associated disturbance. This level of disturbance is likely to be transient in nature when cars are entering and exiting the car park, for short periods of time. As the car park will be a long stay facility, trip

generation will not be as frequent and regular occurrence throughout the day than in other areas of the centre which offer shorter stay car parking provision.

44. Whilst there may be increased pedestrian footfall along Low Church Wynd from users of the proposed facility this pedestrian access route is an existing arrangement and again is likely to be infrequent journeys on foot. Consequently, it is not considered that a car park use here would create an undue adverse impact in respect of amenities to neighbours with particular consideration given to the residential properties directly adjoining the site at West Street, West Mews and Low Church Wynd.
45. The Environmental Health manager has provided comments on the application and raises no objection to the proposal advising that the projected traffic flow data does not trigger the requirements for a noise impact assessment. Consideration has also been given to the location adjacent to the viaduct in respect of noise amplification concerns raised by neighbours and this is not considered to alter the findings.
46. Whilst there would be a degree of associated comings and goings through use of the car park, this is not considered to be materially different from that of the existing commercial uses at the site or use of the service area and car parking areas associates with these uses that would warrant refusal of the application on those grounds and such impacts are not considered to be significance in the context of the NPPF.
47. Comments raised from neighbours in respect of the management of the car park use of lighting and hours of operation can be controlled by condition. Whilst there is no intention to close the car park there will be a degree of lighting required for safety and monitoring of the facility but this can be designed and shielded to cause minimal disturbance to residents.

Outlook;

48. There are a number of neighbouring properties in close proximity which would be located alongside the proposed development. It is recognised that the existing outlook for some neighbours will currently be compromised by that of the existing site condition. It is considered that whilst the creation of a car park will not be a particularly engaging outlook, This will be no worse than the current situation and due to the nature of the use and proposed boundary will not unduly harm the privacy, or general amenity of any neighbouring properties. Whilst a degree of disturbance may occur through users of the car park and car headlights etc this will be for short periods of time, there will no direct issues in respect of privacy or overlooking above to neighbouring beyond the on-site situation.

Flood risk/drainage;

49. The application site lies within flood zone 3 flood risk classification in an area at high risk of flooding. The Environment Agency have provided comments on the application and have no objection to the application advising that the proposed car park use is considered a less vulnerable and they do not consider it to have an increased risk of on or off-site flooding. The submitted flood risk assessments advises that suitable flood risk warnings and emergency evacuation procedures signage will be but in place. Subject to these measures it is therefore considered that the proposed use is acceptable in respect of flood risk.
50. Issues raised by neighbours in respect of sustainable urban drainage and drainage issues in the area are noted. Northumbrian Water request a suitable condition in respect of drainage and management of surface water which can be duly applied. Subject to controlling conditions in respect of the above it is considered that the application is acceptable in respect of issues of flood risk and drainage.

Archaeology;

51. Tees Archaeology have provided comments on the application advising that archaeological desk-based assessment has been submitted, which details the potential for medieval remains to be present on the site. They advise that evaluation trenches should be excavated to confirm the depth of any archaeological deposits on the site that have the potential to be impacted upon, and advise that the archaeological work could be secured by condition. A condition is recommended accordingly

Air quality;

52. The Environmental Health Manager advises that the proposed traffic flow data provided by the applicant suggests the car park does not meet the criteria to warrant an air quality assessment. It is therefore considered that the proposal is acceptable in the respects of the impacts on air quality.

Land contamination;

53. The Environmental Health Manager advises that due to the previous nature of the site the site may be affected by historic contamination and there is the potential for undiscovered land contamination a controlling condition can therefore be applied.
54. Issues raised by neighbours in respect of demolition of the canopy are noted. Whilst the canopy may contain asbestos, the removal of this and the required working arrangements and disposal is subject to health and safety controls which sits outside planning legislation.

Ecology;

55. The application is accompanied by a bat survey by a suitable ecologist and in accordance with good practice, the site and surrounding areas were assessed for their potential to support other protected species and for the presence or any evidence of protected species. Overall, the site was considered to be low value for roosting.
56. Furthermore, the site itself is situated within high suitability bat habitat due to the presence of a river with continuous treelines, with surrounding vegetated gardens providing a suitable commuting route for on-site bats dispersing to this habitat. The site was deemed low to negligible suitability for other protected species.
57. The hedgerows and trees on-site provide some suitable bird nesting habitat for birds, however more suitable nesting habitat can be found in the immediate surrounding area. Subject to controlling conditions in respect of the mitigation and enhancement measures proposed within the statement it is considered that the application is acceptable in respects of the impacts on ecology.

Residual matters;

58. The application site is adjacent to the viaduct and Network Rail land, comments have been received from Network Rail in respect of their requirements and a suitable informative can be applied advising of the need to liaise directly with Network Rail.
59. There are a number of residential properties in close proximity and whilst the Environmental Health Team raise no objection to the proposals a controlling condition in respect of construction hours of operation is considered appropriate in this instance along with a construction management plan which can include measures in respect of dust control to ensure further control in these respects.
60. To ensure matters of flood risk are suitably controlled a condition requiring flood risk evacuation measures/ appropriate signage can be applied. As lighting is specifically referenced in the ecological mitigation strategy, whilst indicative lighting positions are indicated a condition requiring the exact details of these to be agreed is considered to be appropriate.

61. Issues raised in respect of house prices/devaluation of properties is not a material planning consideration.

CONCLUSION

62. The proposal is considered acceptable in terms of highway safety, does not adversely impact on the neighbouring properties and character of the Conservation Area, ecological habitat, archaeology, flooding/drainage and is recommended for Approval with conditions for the reasons specified above.

Director of Finance, Development and Business Services
Contact Officer Fiona Bage Telephone No 01642 526271

WARD AND WARD COUNCILLORS

Ward	Yarm
Ward Councillor	Councillor Dan Fagan
Ward Councillor	Councillor Julia Whitehill
Ward Councillor	Councillor Andrew Sherris

IMPLICATIONS

Financial Implications: Should the application be approved there may be lease implications for the Local authority and as the proposal is for a public car park and associated revenue implications from car parking fees.

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

Stockton-on-Tees Local Plan 2019

Supplementary Planning Documents

SPD3 – Parking Provision for Developments

SPD4- Conservation Areas and Historic Environment Folder