

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

8th July 2021

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

21/0909/FUL

89-91 High Street, Stockton On Tees, TS18 1AA

Construction of a 63 space car park with associated works to include public realm improvements and landscaping.

SUMMARY

The application site is the former Glam nightclub and Post Office buildings on Stockton High Street, which have now been demolished and the site is currently levelled, cleared and fenced.

Members will recall that the original intention for the site was to create an interim solution in respect of a proposed pocket park and surface level car park, which was approved at committee in 2019.

In the intervening period, wider town centre plans have been proposed and it is now the intention to demolish the existing Castlegate Centre and create a focal public park on a much larger scale. Consequently, the aspirations of this site have been revised to a surface level car park only.

There are no objections to the application, the proposals are considered to be acceptable in respect of the impacts on the character and appearance of the area; the Stockton Town Centre Conservation Area and wider aspirations for regeneration of the town centre; the amenities of neighbouring properties and highway implications and is recommended for approval with conditions as set out below.

RECOMMENDATION

That planning application 21/0909/FUL 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
SLDS-3756-1300-001 REV P1	30 March 2021
SLDS-3756-1400-001 REV P1	30 March 2021
TS10365-05-100	30 March 2021
TS10365-100-001 REV A	30 March 2021
TS10365-100-201	30 March 2021
TS10365-100-202	30 March 2021
21037-HL-DR-A-100-S2-P01	25 June 2021
21037-HL-DR-A-200-S2-P02-	25 June 2021
21037-HL-DR-A-201-S2-P02	25 June 2021
21037-HL-DR-A-202-S2-P02	25 June 2021

Reason: To define the consent.

02. Construction Management Plan

The works shall be carried out in accordance with the submitted construction management plan dated the 14th June unless otherwise agreed in writing with the local planning authority.

Reason:- in the interests of highway safety and the free flow of traffic

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

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

BACKGROUND

1. Consent was previously granted in July 2019 through application 19/1109/FUL for the demolition of the former GLAM Nightclub and Post Office to facilitate environmental and visual improvements at the southern end of the High Street through the removal of unused, long term vacant properties.
2. It was proposed to redevelop the site for temporary parking and an open space/pocket park in the short term to bring the site into meaningful use and to support the function of the wider town centre. With the intention of the site being available for future development when required.
3. Since consent was granted, plans for the southern part of the High Street have evolved with the Council's purchase of the Castlegate Centre and planned redevelopment of the site which includes a large landscaped park. Therefore, the plans for development of the site at 89-92 High Street have naturally evolved as a result.

SITE AND SURROUNDINGS

4. The site was formerly occupied by the former GLAM Nightclub and Stockton Town Centre Post Office which are now demolished. The site is currently levelled and cleared and fenced to prevent unauthorised access with temporary solutions to party walls currently in place.
5. The site is located within the Stockton Town Centre Conservation Area. The site is bordered with Stockton High Street to the east, West Row to the west, 93 High Street to the North and 86-88 High Street to the south.
6. The site area is approximately 0.23 of a hectare.

PROPOSAL

7. The revised proposals for the site comprise a new car park which will provide 63 car parking spaces including 5 no. disabled spaces, and motorcycle parking at the southern part of the High Street. The proposals involve associated works to include public realm improvements and landscaping.
8. It is proposed to construct the car park from a tarmac and an appropriate granular subbase suitable for the ground conditions. The car park surface will mirror the existing surface of

Corporation Hall car park. Access and egress to the proposed car park will be via West Row. Appropriate signs will be provided as part of the development to welcome visitors to the car park, and direct motorists. Pedestrian access to the new car park will be from Stockton High Street or West Row, with level access between the High Street and the new car park.

9. A positive drainage system will be installed with a positive outlet to the local highway drainage system. The proposed levels of the car park will not be greater than the existing ground levels
10. The intention is to create a landscaped frontage to the High Street utilising the existing town centre palette of materials and furniture, including new trees in raised planters to filter views of the parked cars from viewpoints on the High Street.

CONSULTATIONS

11. The following Consultations were notified and any comments received are set out below (in summary):-

Land & Property Services - No comments

Natural England - No comments

Highways Transport & Design Manager - no objections to the proposals.

Highways Comments - The applicant has submitted a site layout plan which has been reviewed against the Councils design guidance and is considered to be acceptable. In order to minimise disruption during the construction phase a Construction Traffic Management Plan should be secured by condition.

Landscape & Visual Comments - the proposals will complement the High Street scheme.

Environmental Health Unit - no objections and conditions do not need to be imposed from an Environmental Health perspective.

PUBLICITY

12. Neighbours were notified by letter, site notice and press advert and no comments received.

PLANNING POLICY

13. 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.
14. 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

15. 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.

16. 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.

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

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- 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.

Para 130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used

Para 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 or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

Paragraph 189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets'

importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 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

Local Planning Policy

17. 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.

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.

3. Conserve and enhance the historic environment through a variety of methods including:
 - d. Supporting proposals which positively respond to and enhance heritage assets.

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

1. To provide realistic alternatives to the private car, the Council will work with partners to deliver a sustainable transport network. This will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users, and to local services, facilities and local amenities.

2. To ensure the road network is safe and there are reliable journey times, the Council will prioritise and deliver targeted improvements at key points on the local road network and work in conjunction with Highways England to deliver improvements at priority strategic locations on the strategic road network.

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.

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.

3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

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.

6. The following are designated heritage assets:

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

Policy TI2 – Community Infrastructure

1. There is a need to ensure that community infrastructure is delivered and protected to meet the needs of the growing population within the Borough. To ensure community infrastructure meets the education, cultural, social, leisure/recreation and health needs of all sections of the local community, the Council will:

- a. Protect, maintain and improve existing community infrastructure where appropriate and practicable;
- b. Work with partners to ensure existing deficiencies are addressed; and
- c. Require the provision of new community infrastructure alongside new development in accordance with Policy SD7.

Economic Growth Policy 1 (EG1) - General Development Sites

4. The following sites within Stockton Town Centre are allocated for an appropriate mix of main town centre uses and or residential development:

- a. Land to the rear of 90 to 101a High Street, Stockton.
- b. Southern Gateway, Stockton.

MATERIAL PLANNING CONSIDERATIONS

18. The main considerations of the application are the principle of the development, the requirements of the development plan, the impacts on the amenities of the area including neighbouring properties, the impact on heritage assets, highway impacts and any environmental implications.

Principle of development/Impact on heritage assets

19. The site is located within the town centre of Stockton. Policy EG1(4) of the adopted Local Plan (2019) identifies the site at land to the rear of 90- 101a High Street as allocated for an appropriate mix of main town centre uses and residential development. The associated Local Plan policies map includes the application site.

20. The existing site is a cleared and currently vacant site. The principle of the creation of a car park has been accepted here through the 2019 approval. Whilst the current proposals now remove the pocket park elements, the productive use of the site for commercial purposes is considered to be in broad accordance with the aims of the local plan. The creation of a surface level car park will not preclude any future redevelopment of the site. The general scale, layout and form of the development is considered to be acceptable for the site and compatible with neighbouring commercial uses adjacent.

21. The redevelopment of the site is therefore considered to be acceptable in principle and the proposal is considered to be in accordance with the aims of policy EG1(4).

Impact on heritage assets/ Character and appearance

22. The NPPF and the adopted Local Plan encourage high standards of design with Local Plan Policies SD3 and SD8 setting out that new developments should be appropriate to the context of the surrounding area. The site lies within the Stockton Town centre conservation area boundary and additionally policies SD5 and HE2 seek to conserve and enhance the historic environment. Additionally, the NPPF requires that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the assets conservation.
23. Stockton Town Centre conservation area is characterised by its medieval town plan form, with later buildings such as the Castlegate and former nightclub building losing the defined burgage plots. The legibility of this plan layout is still evident in the remaining sense of enclosure created by buildings framing the High Street. Gap sites within this urban form are therefore potentially incongruous additions that are not in keeping with the prevalent historic character. Nevertheless, they are often inevitable as buildings become obsolete and create new opportunities to reinvent these spaces and also create future development sites.
24. The previous buildings at the site were of no historic or architectural interest and the loss of these whilst resulting in a gap site within the existing building line, is not considered to harm the character, appearance or significance of the conservation area to a degree that would warrant refusal of the current application which, looks to create an interim economic solution for this redundant site. Reuse of the site as a car park would bring associated economic benefits and provide some landscape treatment to the High Street to soften the visual impact of the development and therefore bring a degree of public benefit.
25. The demolition of both GLAM and the Post Office has exposed the boundary walls of the adjoining properties which will frame the new car park. These walls will be faced with new brick and/or rendered under the approved discharge of conditions for the previous planning consent, to provide a more attractive boundary for the car park and Conservation Area. The submitted design and access statement advises that it is proposed to explore the addition of a mural to these walls at a later date to further enhance the streetscape and create improved public realm.
26. The proposed car park will allow active reuse of the site and an immediate visual benefit to the surrounding area and neighbouring buildings creating an economic use for the site in an interim period which can form a later development site with the construction of a surface level car park allowing for future development of this gap site at a later date should proposals arise.
27. The treatment to the resulting boundaries of the neighbouring properties and the new boundary to the car park have been secured via a discharge of condition application for the previous scheme. The same details are submitted with this scheme and are incorporated within the approved plans which will ensure an appropriate quality of finish to the boundary enclosures of the car park to be created. These details will also be subject to the party wall act with neighbouring property owners.
28. It is considered that the revised proposals for the use of this site as a car park with a landscaped frontage will not have a detrimental effect on the neighbouring properties or impact on the character and appearance of the area. As details of the proposed hard and soft landscaping have been submitted it is not considered that conditions need to be applied in these respects.

29. Additional street lighting and a CCTV camera is proposed for the car park. The proposed lighting will not have a detrimental impact upon neighbouring properties in terms of appearance or unreasonable light pollution.

Highways:

30. The Highways Transport and Design Manager has provided comments on the application the proposed car parking layout is considered to provide a suitable layout and design with pedestrian linkages to neighbouring streets and separation of pedestrian routes from vehicles.

31. A construction management plan has been provided by the applicant and can be duly conditioned.

Amenities of the area:

Due to the nature of the proposed use and the previous use of the site, it is not considered that the proposal gives rise to any adverse impacts in respect of amenities or outlook to neighbouring properties, Environmental Health have considered the application and raise no objection or require any conditions from an Environmental Health perspective. It is considered that the proposal accords with the NPPF and policy SD8 in these respects.

CONCLUSION

32. It is recommended that the application be Approved with Conditions for the reason(s) specified above.

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

WARD AND WARD COUNCILLORS

Ward	Stockton Town Centre
Ward Councillor	Councillor Paul Kirton
Ward Councillor	Councillor Pauline Beall

IMPLICATIONS

Financial Implications: The site is in the control of Stockton Borough Council there would be associated financial implications in construction of the car park and potential revenue generation from a public car park.

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

SPD1 – Sustainable Design Guide

SPD3 – Parking Provision for Developments

SPD4 – Conservation and Historic Environment Folder