

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE  
24 November 2021  
REPORT OF DIRECTOR OF FINANCE,  
DEVELOPMENT AND BUSINESS SERVICES**

**21/2240/FUL**

**Land at Urlay Nook Road, Eaglescliffe, Stockton-On-Tees  
Erection of B2/B8 warehouse with ancillary attached office accommodation and 3no. B2/B8 hybrid blocks (comprising 19no. individual units) to include associated access, works, and landscaping.**

**Expiry Date** 30<sup>th</sup> November 2021

### **SUMMARY**

The application site relates to an area of land to the south of Urlay Nook Road and north of the A67 and west of the Police Tactical Training Centre and a separate office block. The site forms part of a site which has been approved for industrial development and is an extant consent. To the east is a residential development.

The proposed development comprises a large B2/B8 warehouse with associated office block and 19 units for general industrial use (B2/B8 use). Access to the wider highway network is via a new access onto Urlay Nook Road.

A number of objections have been received from the neighbouring properties, however many of these relate to the principle of development which has already been established by the previous extant approvals.

When considering the principle of industrial development on this site, it should be noted there is an extant planning permission which was implemented shortly after the approval of the reserved matters application. The principle of commercial/industrial development in this location has been accepted and there would be no sustainable planning reason to refuse this application in land use terms. The application is within the consultation zone for the HSE who have raised no objections to the proposed scheme.

Whilst comments have been made regarding the development of other sites and questioning the need for the development, as detailed above the principle of development has already been established and therefore the issues in relation to need are not relevant to this application. Whilst it is acknowledged that the site is unallocated and outside the limits to development this does not override the existing permission that exists for the site.

It is considered that the principle of development on this site has been established by the extant permission and subject to conditions to control certain aspects of the development it is not considered that the scheme will have an adverse impact on the amenity of the occupiers of nearby residential properties or other nearby premises / land, and the impact on landscape and visual amenity is considered acceptable.

### **RECOMMENDATION**

**That planning application 21/2240/FUL be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below;**

**01 Time Limit**

The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

**02 Approved Plans**

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

Plan Reference Number	Date Received
21-21/P100A	2 November 2021
21-21/002B	24 August 2021
21-21/003A	24 August 2021
21-21/004A	24 August 2021
21-21/005B	24 August 2021
21-21/006B	24 August 2021
21-21/007	24 August 2021
21-21/008	24 August 2021
21-21/011	31 August 2021
C-GA-02	24 August 2021
20-21/010C	11 November 2021
20-21/009E	11 November 2021

Reason: To define the consent.

**03 Materials**

Notwithstanding the submitted details, prior to the completion of the foundations of the hereby approved development, details of the materials to be used in the construction of the external walls and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The materials for the staircase of the office shall not be visually permeable on the western elevation and shall remain in situ for the life of the building unless replaced with another similar material that prevents overlooking to the west. The development shall be carried out in accordance with these approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development and in the interests of national security.

**04 Means of Enclosure**

Prior to installation, details of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

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

**05 Soft Landscaping**

Notwithstanding the submitted plans, no built development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil

depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

- (i) Commencement of the development;
- (ii) or agreed phases;
- (iii) or prior to the occupation of any part of the development;

and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

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

## **06 Tree Protection**

No development shall commence until an Arboricultural Method Statement and Tree Protection Plan is approved in writing by the Local Planning Authority. This must be in close accordance with BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations and NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007. Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

Reason: To protect the all existing trees on and immediately adjacent to the site (within 10m) that the Local Planning Authority consider provide important amenity value in the locality.

## **07 Maintenance – Softworks**

Prior to occupation of the first unit/building full details of proposed soft landscape management shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include maintenance access routes to demonstrate operations can be undertaken from publicly accessible land, long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plan prior to the occupation of the development or approved phases.

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

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

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

## **08 Construction Management Plan**

Prior to the commencement of development, a Construction Management Plan shall be submitted and agreed in writing with the Local Planning Authority and shall provide details of the routing of all HGVs movements associated with the construction phases and to

effectively control dust emissions from the site works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. Work shall be undertaken in accordance with the agreed details.

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

## **09 Travel Plan**

Prior to the development being brought into use, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- (i) the appointment of a travel co-ordinator with roles, responsibilities, timescales to be in place (minimum 5 years) and contact details
- (ii) Modal split targets and measures to achieve these targets, which must be SMART: Specific Measurable, Achievable, Realistic and Timebound;
- (iii) Details of when the Travel Plan is to be monitored and reviewed including timescales for when travel surveys are to be carried out.
- (iv) Details of an exit strategy of how the Travel Plan will be continued once the TPC has left the site (e.g. a community travel plan forum/group established) and a partnership approach to influence travel behaviour
- (v) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- (vi) provision of up-to-date details of public transport services
- (vii) continual appraisal of travel patterns and measures provided through the travel plan
- (viii) improved safety for vulnerable road users
- (ix) a reduction in all vehicle trips and mileage
- (x) a programme for the implementation of such measures and any proposed physical works
- (xi) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The approved Travel Plan shall be implemented, and the development shall thereafter be carried out and operated in accordance with the approved Travel Plan.

Reason: To establish measures to encourage more sustainable non-car modes of transport.

## **10 Cycle Storage**

Prior to the occupation of each building/block, a scheme for cycle parking, in broad accordance with SPD3 (Parking Provision for New developments) shall be submitted and approved in writing by the local planning authority. The scheme shall be implemented in full and retained for the life of the development.

Reason: in the interests of providing sustainable travel options for the site.

## **11. Electric Vehicle Charging**

Notwithstanding the submitted details, a scheme for the provision of electrical charging points for the charging of electrical motor vehicles, shall be submitted and approved in writing by the local planning authority. The charging points shall be in place prior to the occupation of the buildings.

Reason:-to ensure a satisfactory form of development

## **12. Bin storage**

Prior to the occupation of each building/unit, a scheme for secure refuse storage shall be submitted and approved in writing by the local planning authority. The scheme shall be implemented in full and retained for the life of the development.

Reason: To ensure a satisfactory form of development.

**13. Lighting;**

Details of the external appearance of all external lighting of the building and car park area, including colour and luminance shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. The lighting shall be installed in accordance with the agreed details and be in place prior to occupation of the hereby approved car park.

Reason: To avoid light pollution in the interests of the visual amenities of the area

**14. Energy Efficiency**

Prior to the erection of any buildings, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall identify the predicted energy consumption, the associated CO2 emissions and how the energy hierarchy has been applied to the development, including an investigation into the feasibility and viability of connection to decentralised energy networks for heat and power and the achievement of a "Very Good" BREEAM rating for the scheme. The statement shall set out the feasibility and viability of achieving a minimum 10% reduction in CO2 emissions from the development, over and above current Building Regulations Part L requirements, or a minimum of 10% of the total predicted energy requirements of the development will be generated from renewable energy sources. Development shall be carried out thereafter in a manner that incorporates any feasible and viable measures identified.

Reason: Reason: In the interests of promoting sustainable development in accordance with the requirements of Local Plan Policies ENV1 and ENV3.

**15. Noise disturbance from New Plant**

Prior to the installation of any plant/machinery, a BS4142 noise assessment shall be undertaken demonstrating that the rating level of sound emitted from any fixed plant and/or machinery associated with the development or industrial activities at the use hereby approved shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 1 hour LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of nearby residents.

**16. Paint Spraying**

No paint spraying equipment shall be used in any of the units hereby approved, unless in a properly constructed part of any building to which suitable filtration equipment has been fitted to the satisfaction of the Local Planning Authority.

Reason: In the interests of the local amenity.

**17. Use of solvents**

No engine cleaning using solvents shall take place in any of the approved units unless an extraction system is in place in accordance with a scheme to be agreed in writing with the Local Planning Authority. The agreed scheme shall be retained thereafter for the life of the use to which the extraction system is required.

Reason: In the interests of local amenity

**18. Deliveries**

No deliveries shall take place outside the hours of 7.00 – 23.00. Should any unit require deliveries between 23:00 - 07:00hrs then a BS4142 noise assessment should be submitted in writing and approved by the Local Planning Authority. The assessment should demonstrate that the noise created does not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of nearby residents.

**19 Foul and Surface Water**

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

**20 Sustainable Surface Water Drainage Scheme**

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

I. Detailed design of the surface water management system;

II. A build programme and timetable for the provision of the critical surface water drainage infrastructure;

III. A management plan detailing how surface water runoff from the site will be managed during the construction phase;

IV. Details of adoption responsibilities

V. A management and maintenance plan of the Surface Water Drainage scheme, this should include the funding arrangements and cover the lifetime of the development.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the Local Plan Policies SD5 & ENV4 and the National Planning Policy Framework.

**20 Recording of a heritage asset through a programme of archaeological works**

A) No demolition/development shall take place/commence until a phased 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 occupied 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: In order to address the requirements of Local and national planning policy in respect to heritage assets.

## **22 Preliminary Ecological Appraisal**

The development hereby approved shall only be undertaken on site in accordance with the recommendations and mitigation as detailed in section 5 of the Preliminary Ecological Appraisal (Ref No: 210668/2 Date: 8th November 2021)

Reason: In order to adequately protect ecology and biodiversity in accordance with the principles Local Plan Policy and the National Planning Policy Framework.

## **23. Ecology Survey**

If work does not commence within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing on site a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted and approved in writing by the local planning authority and identify any additional or revised mitigation measures required

Reason: To conserve protected species and their habitat where necessary

## **24. Contaminated Land 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, have been submitted and approved in writing, by the local planning authority:

– a site investigation scheme, based on the Desk Top Study (Ref: 180615.R.001, July 2008) should be submitted to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include 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.

– 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.

This 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. A minimum number of boreholes( no less than 3) and rounds of gas monitoring must be carried out based on the guidance CIRIA C665: “Assessing Risks Posed By Hazardous Ground Gases To Buildings” with a minimum of at least two sets of readings as low and falling atmospheric pressure. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason – Due to the potential for contaminants

**25. Unexpected Land Contamination;**

In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

Reason: To ensure the proper restoration of the site.

**26. Restriction on Use**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), any office use as part of this development will be ancillary to the B2/B8 warehouse use hereby approved.

Reason: In order to adequately control the nature of the development and its associated impacts.

**27. Obscure Glazing/screen wall**

The windows on the western elevation of the office block hereby approved (and detailed on plan 20-21/010C received 11 November 2021) shall be fixed and of a minimum opacity level four. The screen wall to the external roof terrace and the glazing shall be retained in accordance with these details for the lifetime of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of national security.

**28 Employment and Training**

A minimum of 30% of the available jobs during the construction of the Development; and 30% of the available operational jobs once the Development is operational shall be made available to residents of Stockton and the Tees Valley and a minimum of 30% of total net value of the services and materials used in the construction of the buildings and surfaces is to be provided by businesses within Stockton and the Tees Valley.



Reason: In accordance with the requirements of local plan policy SD4.

## **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 may have specific requirements during construction.

### **Informative: NWL**

A strategic water main crosses the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to the apparatus and will work with the developer to establish the exact location of the assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. Further information is available at <https://www.nwl.co.uk/services/developers/>

## **HEADS OF TERMS**

The applicant will entre into a Section 106 to provide identified improvements at A67/Durham Lane roundabout

## **BACKGROUND**

- 01 An outline application for industrial development comprising the erection of B2 and B8 use class units and associated means of access was approved on the 3rd August 2015 (Application 08/0241/OUT).
- 02 The reserved matters application was approved on the 7th November 2018 (Application 18/1702/REM). Pre-commencement conditions have been discharged and works have commenced. The permission is therefore implemented and remains extant.

## **SITE AND SURROUNDINGS**

- 03 The application site relates to an area of land to the south of Uraly Nook Road and north of the A67 and east of the Police Tactical Training Centre and a separate office block. To the north is a railway line and to the south open land which forms part of the approval for the wider site. The site is outside the limits to development.
- 04 To the east beyond the wider development boundary 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 3<sup>rd</sup> July 2014 (Application 14/0925/REM).

## **PROPOSAL**

- 05 Planning permission is sought for the erection of a B2/B8 warehouse with ancillary attached office accommodation, and 3no. B2/B8 hybrid blocks (comprising 19 individual units), together with associated access, works, and landscaping. The site will be accessed in accordance with the previously approved arrangements

- 06 The proposed warehouse is for the applicant, a local housebuilder, and will be their primary storage facility for building materials and associated equipment. The ancillary office block will house support/office-based functions on the same site, and the two buildings will be physically connected via a first floor allowing staff to move freely between the two buildings.
- 07 The hybrid blocks A, B, and C will comprise of 4no., 7no., and 8no. individual units respectively with centrally located car parking. The units do not have any committed end users at this time. The hybrid units will be a separate operation to the main warehouse and office and will be served by their own access point and parking.

## **CONSULTATIONS**

- 08 The following Consultations were notified and any comments received are set out below (in summary):-
- 09 Highways Transport & Design Manager - There are no Highways Transport and Design objections to this application subject to the comments below.

Highways Comments - The development site forms part of a wider approved under planning consent 08/0241/OUT industrial estate development at Urlay Nook with this particular plot located to the eastern side of the wider previously approved estate. One vehicular access to the development is proposed via a new priority junction access from Urlay Nook Road. This access location is suitably located to accommodate all vehicles associated with the site including cars and HGVs/service vehicles.

The internal layout is designed in accordance with the Tees Valley Design Guide. Proposed pedestrian access will be provided along the proposed access from Urlay Nook Road to provide a direct connection to each unit. A crossing point (dropped kerbs and tactile paving) is shown near the priority junction access join to Urlay Nook Road to improve connections for pedestrians along the existing pavement. The site layout is acceptable in terms of manoeuvrability and reversing space, and the collision history on the surrounding highway network has been considered and there are no existing trends that could be affected by the development proposals.

The development proposes a total of 87 car park spaces, consisting of 81 spaces for staff and an additional six visitor spaces, including two to mobility impaired standard. The applicant has considered parking for the B2/B8 use, however an ancillary office is proposed for the warehousing, and parking standards for offices should be applied to which would require 118 spaces in accordance with the Council's standards. However, this presents a worst case scenario as the hybrid units are B2/B8 units rather than purely B2 use, which allows for the reduction in this maximum figure. The submitted Transport Statement also includes a car park accumulation survey to support the reduced number of 87 spaces, this is accepted. A robust Travel Plan must be in place to support any reduction in parking and the framework Travel Plan.

Cycle parking spaces are proposed as part of the development for staff, however no details are provided within the application, cycle parking should be covered and secure and this should be secured by planning condition.

A Framework Travel Plan has been provided and a full Travel Plan should be secured by condition and agreed prior to commencement of the development. A Travel Plan Coordinator (TPC) should be appointed, and the full Travel Plan should include details of the Travel Plan coordinators roles and responsibilities and timescales.

The development benefits from outline planning consent (08/0241/OUT) and traffic has been considered as part of this outline approval and is included in the YAM and WESAM

Aimsum traffic models. All subsequent planning applications have taken account of the traffic associated with this site and the proposed traffic is in accordance with the current approval. A Section 106 agreement is in place for the outline approval with the need to enter a S278 agreement with the Highway Authority for the previous identified improvements at A67/Durham Lane roundabout. This also required the developer to enter a S278 agreement within six months of the date of the S106 agreement and not to occupy any part of the development until the highway works are complete. This should apply in the case of this application should it be approved.

Landscape & Visual Comments - The site already has consent as part of an industrial estate granted under application 18/1702/REM. In landscape terms the site layout broadly follows the layout agreed as part of that previous application. An avenue of trees is proposed alongside the site access road, and retention of some existing trees at the northern edge of the site adjacent to Uraly Nook Road. However, there are some discrepancies between the different drawings regarding the retention of site vegetation, this must be clarified. There are no landscape and visual objections to the proposals, subject to this issue being resolved. A tree protection plan should be provided, to protect areas of trees and shrubs during the construction period.

10 Lead Local Flood Authority - The applicant has not provided sufficient information regarding the management of surface water runoff. The applicant must provide evidence that Northumbrian Water are satisfied with the proposed surface water discharge connection points, discharge rates and further detail must be provided regarding the highway drainage on the proposed access road.

11 Environmental Health Unit – recommend that conditions be imposed on the application relating to;

- Construction/ Demolition Noise
- Waste Collection
- Light Intrusion
- Noise disturbance from New Plant
- Dust Control
- Paint Spraying
- Trade effluent
- Use of solvents
- Deliveries

12 Northumbrian Water Limited - The planning application does not provide sufficient detail with regards to the management of foul 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 a condition be imposed.

Please note that the planning permission is not considered implementable until the condition has been discharged. Only then can an application be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

We would have no further comments to make regarding the disposal of surface water flows from the development as we note that the application documents state that the surface water flows shall discharge directly to the watercourse.

13 Natural England - Natural England has no comments to make on this application. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

14 National Highways – No objection

- 15 Northern Gas Networks – No Objection
- 16 Tees Archaeology – It is thought that Urray Nook has medieval origins, and likely consisted of scattered farmsteads; Greenwood's 1820 map shows a scattered settlement around the junction of Long Newton Lane with Urray Nook Road, and buildings on the southern side of Urray Nook Road may represent Urray Nook Farm.

It is considered that there is the potential to encounter archaeological remains on the development site. In this instance, I am willing to have the trial trenching undertaken as a condition of the development. However, please be aware that further archaeological work may be necessary following the results of the trial trenching. I recommend that any submitted Written Scheme of Investigation addresses the potential phases of archaeological work, with trial trenching to be undertaken in the first instance and any further work dependant on the results of the trial trenching.

- 17 PADHI Health & Safety Executive – Do not advise against the grant of planning consent
- 18 Sabic UK Petrochemicals Ltd – the planning application will not affect SABIC/INEOS high pressure ethylene pipeline apparatus.

## **PUBLICITY**

- 19 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. Mr Shaffique Ahmed 56 Goosepool Drive Eaglescliffe/
2. Mr Gary Marshall 3 Whinfell Avenue Eaglescliffe
3. Miss Zarah Ahmed 26 Goosepool Drive Eaglescliffe
4. Miss Ashleigh Gaythorpe 12 Grassholme Way Eaglescliffe
5. Jordan Miller 59 Goosepool Drive Eaglescliffe
6. Mrs Elizabeth Easby 57 Goosepool Drive Eaglescliffe
7. Mrs Helen Simmons 22 Dyce Close Eaglescliffe
8. Mr David Corner 28 Goosepool Drive Eaglescliffe
9. Mrs Alison Corner 28 Goosepool Drive Eaglescliffe

Comments raised in relation to;

- Proximity the residential area
- Consultation insufficient
- Need
- Traffic and Access
- Noise and Pollution
- Boundary and Landscaping treatment should be provided
- Impact on Light
- Devaluation

## **PLANNING POLICY**

- 20 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.

- 21 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**

- 22 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.
- 23 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.

### **Local Planning Policy**

- 24 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 4 (SD4) - Economic Growth Strategy

1. Economic development needs will be directed to appropriate locations within the Borough to ensure the delivery of sustainable economic growth.

18. The Council will support appropriate economic growth development within the countryside that cannot be located within the limits to development, or is of an appropriate scale and does not harm the character and appearance of the countryside; where it:

- a. Is necessary for a farming or forestry operation; or
- b. Provides opportunities for farm diversification; or

- c. Provides opportunities for equestrian activity; or
- d. Is a tourism proposal requiring a rural location; or
- e. Is a site for new and existing land based rural businesses/enterprises.

#### Employment and Training Opportunities

19. Support will be given to the creation of employment and training opportunities for residents. Major development proposals will demonstrate how opportunities arising from the proposal will be made accessible to the Borough's residents, particularly those in the most deprived areas and priority groups.

#### 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.

e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.

f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.

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.

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.

### Strategic Development Strategy Policy 7 (SD7) - Infrastructure Delivery and Viability

1. The Council will ensure appropriate infrastructure is delivered when it is required so it can support new development. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of infrastructure provision. The Council will also work together with other public sector organisations, within and beyond the Borough, to achieve funding for other necessary items of infrastructure.

2. New development will be required to contribute to infrastructure provision to meet the impact of that growth through the use of planning obligations and other means including the Community Infrastructure Levy (CIL). Planning obligations will be sought where:

- a. It is not possible to address unacceptable impacts through the use of a condition; and,
- b. The contributions are:
  - i Necessary to make the development acceptable in planning terms;
  - ii Directly related to the development; and
  - iii Fairly and reasonably related in scale and kind to the development.

### 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.

5. New commercial development will be expected to provide appropriately designed signage and shop fronts.

### Economic Growth Policy 1 (EG1) - General Development Sites

2. General employment development including general industrial (B2 Use Class) and storage and distribution (B8 Use Class) will also be directed to sites and premises in established industrial estates, including Bowesfield, Black Path, St Ann's, Bon Lea & Mandale Triangle, Primrose Hill, and Stillington.

3. In order to maintain an adequate supply of land and premises for economic growth, all allocated sites, and all existing land and buildings last used for employment purposes, will be protected from alternative uses, unless it can be demonstrated through the submission of proportionate evidence that:

- a. The development does not lead to the loss of a key strategic site that would undermine economic growth across the Borough and/or the wider Tees Valley; and,
- b. The site or premises is no longer required for employment purposes, as demonstrated by an appropriate period of marketing extending to at least 12 months; and,
- c. The loss of the site, or part of the site, does not result in a negative impact on existing businesses prejudicing further commercial expansion in the area, when considered against policies SD8 and ENV7; and,
- d. Where appropriate, it has been demonstrated that redevelopment or refurbishment of the site is not viable for continued employment uses, or continued employment use would result in unacceptable traffic or environmental problems which would be significantly alleviated by the proposed use.

#### Natural, Built and Historic Environment Policy 1 (ENV1) - Energy Efficiency

1. The Council will encourage all development to minimise the effects of climate change through meeting the highest possible environmental standards during construction and occupation.

The Council will:

- a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:
  - i. Energy reduction through 'smart' heating and lighting, behavioural changes, and use of passive design measures; then,
  - ii. Energy efficiency through better insulation and efficient appliances; then,
  - iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then
  - iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then
  - v. Conventional energy.
- b. Require all major development to demonstrate how they contribute to the greenhouse gas emissions reduction targets set out in Stockton-on-Tees' Climate Change Strategy 2016; and
- c. Support and encourage sensitive energy efficiency improvements to existing buildings.

2. Proposals are encouraged where development:

- a. Incorporates passive design measures to improve the efficiency of heating, cooling and ventilation; and
- b. Includes design measures to minimise the reliance on artificial lighting through siting, design, layout and building orientation that maximises sunlight and daylight, passive ventilation and avoids overshadowing.

Non domestic

4. All new non-residential developments up to and including 499 sq m of gross floor space will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

5. All new non-residential developments of 500 sq m and above of gross floor space will be required to:

- a. Submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction; and
- b. Be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

#### Natural, Built and Historic Environment Policy 4 (ENV4) - Reducing and Mitigating Flood Risk

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.

3. Site specific flood risk assessments will be required in accordance with national policy.

4. All development proposals will be designed to ensure that:

- a. Opportunities are taken to mitigate the risk of flooding elsewhere;



- b. Foul and surface water flows are separated;
  - c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and
  - d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.
5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:
- a. To an infiltration or soak away system; then,
  - b. To a watercourse open or closed; then,
  - c. To a sewer.
6. Disposal to combined sewers should be the last resort once all other methods have been explored.
7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.
9. Sustainable Drainage Systems (SuDS) should be provided on major development (residential development comprising 10 dwellings or more and other equivalent commercial development) unless demonstrated to be inappropriate. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance.

Natural, Built and Historic Environment Policy 5 (ENV) - Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity

7. Existing trees, woodlands and hedgerows which are important to the character and appearance of the local area or are of nature conservation value will be protected wherever possible. Where loss is unavoidable, replacement of appropriate scale and species will be sought on site, where practicable.

Natural, Built and Historic Environment Policy 7 (ENV7) - Ground, Air, Water, Noise and Light Pollution

- 1. All development proposals that may cause groundwater, surface water, air (including odour), noise or light pollution either individually or cumulatively will be required to incorporate measures as appropriate to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings, the character and appearance of the surrounding area and the environment.
- 2. Development that may be sensitive to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive developments or areas unless satisfactory mitigation measures can be demonstrated.
- 3. Where development has the potential to lead to significant pollution either individually or cumulatively, proposals should be accompanied by a full and detailed assessment of the likely impacts. Development will not be permitted when it is considered that unacceptable effects will be imposed on human health, or the environment, taking into account the cumulative effects of other proposed or existing sources of pollution in the vicinity. Development will only be approved where suitable mitigation can be achieved that would bring pollution within acceptable levels.
- 4. Where future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must demonstrate via site investigation/assessment that:

- a. Any issues will be satisfactorily addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health and the environment; and
  - b. Demonstrate that development will not cause the site or the surrounding environment to become contaminated and/or unstable.
5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.
6. To improve the quality of the water environment the Council will:
- a. Support ecological improvements along riparian corridors including the retention and creation of river frontage habitats;
  - b. Avoid net loss of sensitive inter-tidal or sub-tidal habitats and support the creation of new habitats; and
  - c. Protect natural water bodies from modification, and support the improvement and naturalisation of heavily modified water bodies (including de-culverting and the removal of barriers to fish migration).

### Transport and Infrastructure Policy 1 (T11) - 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.

2. A comprehensive, integrated and efficient public transport network will be delivered by:

- a. Retaining essential infrastructure that will facilitate sustainable passenger movements by bus, rail and water;

#### Highways Infrastructure

6. To support economic growth, it is essential that the road network is safe and that journey times are reliable. The Council will seek to provide an efficient and extensive transport network which enables services and facilities to be accessible to all, accommodate the efficient delivery of goods and supplies, whilst also minimising congestion and the environmental impact of transport.

#### New Development

10. Existing sustainable transport and public transport infrastructure will be protected from development which would impair its function or attractiveness to users.

11. To assist consideration of transport impacts, improve accessibility and safety for all modes of travel associated with development proposals, the Council will require, as appropriate, a Transport Statement or Transport Assessment and a Travel Plan.

12. The Council and its partners will seek to ensure that all new development, where appropriate, which generate significant movements are located where the need to travel can be minimised, where practical gives priority to pedestrian and cycle movements, provides access to high quality public transport facilities and offers prospective residents and/or users with genuine sustainable transport options. This will be achieved by seeking to ensure that:

- a. Transport choices are widened and the use of sustainable transport modes are maximised. New developments provide access to existing sustainable and public transport networks and hubs. Where appropriate, networks are extended and new hubs created. When considering how best to serve new developments, measures make best use of capacity on existing bus services before proposing new services and consideration is given to increasing the frequency of existing services or providing feeder services within the main network.

- 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.
  - d. Appropriate infrastructure is provided which supports Travel Demand Management to reduce travel by the private car and incentivises the use of sustainable transport options.
  - e. New development incorporates safe and secure layouts which minimises conflict between traffic, cyclists or pedestrians.
13. The Council's approach to transport infrastructure provision is set out in Policy SD7.

#### Transport and Infrastructure Policy 3 (T13) - Communications Infrastructure

- 1. The Council supports the expansion of communications networks, including telecommunications and high speed broadband; especially where this addresses gaps in coverage.
- 7. Developers should demonstrate how proposals for new homes, employment or main town centre uses will contribute to and be compatible with local fibre and internet connectivity.

### **MATERIAL PLANNING CONSIDERATIONS**

- 25 The main material planning considerations in the determination of the application are the principle of development, impact on the character and appearance of the area, impact on neighbours and any other residual matters.

#### Principle of Development

- 26 When considering the principle of industrial development on this site, it should be noted there is an extant planning permission which was implemented shortly after the approval of the reserved matters application. The principle of commercial/industrial development in this location has been accepted and there would be no sustainable planning reason to refuse this application in land use terms. The application is within the consultation zone for the HSE who have raised no objections to the proposed scheme.
- 27 Whilst comments have been made regarding the development of other sites and questioning the need for the development, as detailed above the principle of development has already been established and therefore the issues in relation to need are not relevant to this application. Whilst it is acknowledged that the site is unallocated and outside the limits to development under the current Local Plan, this does not override the existing extant permission for the site.

#### Impact on the Character and Appearance of the Area

- 28 The development of this site has already been agreed and the existing approved plan is attached at appendix 10 (the site is starred for ease of identification), the buildings as proposed are of a similar height to what has already been agreed and whilst the materials have not been finalised these can be secured by condition. The buildings will be seen from the wider area but will be seen in context with the existing tactical training centre. Overall, it is considered that the proposal will be functional buildings within the landscape and would not be significantly different from the existing approval for the site.
- 29 The approved masterplan for the consented scheme shows the current application site with the existing trees and pond retained in the area fronting Uray Nook Road, together with some native tree and shrub planting. In conjunction with this, new tree planting is shown around the periphery of the proposed buildings, as well as some small sections of hedge planting. The broad landscape principles as previously approved will be retained as part of current scheme, tailored as appropriate to suit the present layout. As there are some

anomalies that need correcting, a detailed scheme of soft landscaping is recommended to be secured via a planning condition.

- 30 A condition requiring the provision of a tree protection plan and maintenance plan has also been recommended.

#### Design and Layout

- 31 The proposed buildings are simple functional buildings which are a north-south orientation with car parking adjacent to the units they are serving. Conditions in relation to refuse facilities have been recommended.

- 32 The plans show that the development will be set back from the main road with a tree lined avenue creating a pleasant setting for the development and it is considered that the design and layout of the buildings are acceptable.

- 33 In accordance with policy ENV1 a condition requiring the development to be built to BREAAAM standards and provision of an energy statement has also been recommended.

#### Impact on Neighbours

- 34 The nearest residential properties are at the Sadlers View development, which is approximately 130 metres away to the east and it should be noted that the wider development site was taken into consideration when the residential developments were approved.

- 35 Given the separation distances involved it is not considered that this development will have a significant adverse effect on the residential amenity of these properties and as the developments progress the application for the wider site included substantial planting along the eastern boundary to ensure that the industrial estate development is screened from this residential area.

- 36 In terms of lighting, noise and disturbance a number of conditions have been recommended to ensure no adverse impacts occur during construction or operation.

- 37 The Tactical Training Centre (TTC) is immediately adjacent to the development site and is enclosed with its own security fencing. No comments have been received from the TTC however given the previous objections in terms of national security it is considered reasonable to fix and obscurely glaze the windows in the office building facing west to ensure no overlooking and the plans have been amended accordingly including a screen wall to the roof terrace. The planting as proposed on the boundary will assist in creating a defensible boundary. It is considered that with these change and conditions that there will be no adverse impact on the safety or operation of the TTC.

#### Traffic/Highways

- 38 The access to the development is proposed via a new priority junction access from Urray Nook Road which is suitably located to accommodate all vehicles associated with the site including cars and HGVs/service vehicles. The internal layout is designed in accordance with the Tees Valley Design Guide and is acceptable.

- 39 The development proposes a total of 87 car park spaces, consisting of 81 spaces for staff and an additional six visitor spaces, including two to mobility impaired standard. Whilst this level of car parking is less than the required 118 which presents a worst case scenario, the reduction in this maximum figure is allowed on the basis of there being hybrid units (B2/B8 use as opposed to purely B2 use) and as the Transport Statement includes a car park

accumulation survey to support the reduced number of spaces, which is accepted by the HTDM. A Travel Plan is also required to support any reduction in parking.

- 40 According to Stockton-on-Tees Borough Council parking standards, 94 cycle parking spaces should be provided for the whole of the development, however it is considered more reasonable to provide a scheme for future approval and this has been conditioned.
- 41 The application site forms part of a wider permission and all subsequent planning applications (including the nearby residential developments) have taken account of the traffic associated with this site and the level of traffic is in accordance with the current approval. The previous scheme identified improvements at A67/Durham Lane roundabout to be introduced which is still required and this work will form part of a Section 106 should the application be approved.

#### Ecology and trees

- 42 The approved masterplan for the consented scheme shows the current application site with most of the existing trees and pond retained in the area fronting Urray Nook Road, together with native tree and shrub planting. In tandem with this, new tree planting is shown around the periphery of the proposed buildings.
- 43 A preliminary ecological appraisal (PEA) accompanies the application and appropriate surveys have been undertaken. Some trees on site were identified as having high to low bat roost potential and further surveys and recording work was undertaken. No bat activity was observed or recorded during the transect survey and the level of bat activity recorded on the static recorders was similarly low. Nonetheless the habitat will be retained, and the development will have no impact on commuting or foraging bats. Surveys and pond assessments were undertaken which indicated that there are no great crested newts present on the site. A tree was identified within the survey area that has a potential barn owl roost feature and the habitat on site is suitable for foraging barn owl. The tree is outside of the development area and trees are being retained and therefore it is assessed that there will be no disturbance to nesting barn owls.
- 44 Additional planting is to be provided around the periphery of the site, which will offer some biodiversity features. Overall it is considered that the proposed development will not have a significant adverse effect on ecology or biodiversity subject to the application adhering to the recommendations in the PEA which has been conditioned. By incorporating landscaping features within the proposals to enhance biodiversity value as well as deliver an attractive scheme, they would also align with Local Plan Policies ENV5, ENV6, and SD8.

#### Flood Risk and Drainage

- 45 A Flood Risk Assessment accompanied the original outline application confirming the site is in Flood Zone 1 and concluded that the development will be safe without increasing flood risk elsewhere, and that no further residual risks will affect the proposed development, which remains the case. The applicant has submitted a drainage strategy which is not considered acceptable by the LLFA. At the time of writing the applicant is looking to resolve this matter and an update report will be provided to committee.
- 46 Nevertheless, given that a similar proposal has previously been approved with a suitable drainage strategy it is considered that a successful drainage scheme can be achieved, the precise details of such can be secured by condition before work commences on the development as proposed.

### Other matters

- 47 The Environmental Health Team have requested a condition in relation to trade effluent, however this is not considered necessary as the Environment Agency deal with such matters and where required, an environmental permit needs to be sought unless exemptions apply.
- 48 Devaluation of property, is not a material planning consideration and cannot be considered as part of any planning application.

### **CONCLUSION**

- 49 The principle of development has been established on the site and the proposed scheme is considered to be acceptable for the reasons as detailed in the report. It is recommended that the application be Approved with Conditions.

**Director of Finance, Development and Business Services**  
**Contact Officer Elaine Atkinson Telephone No 01642 526062**

### **WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Eaglescliffe</b>
<b>Ward Councillor</b>	<b>Councillor Stefan Houghton</b>
<b>Ward Councillor</b>	<b>Councillor Laura Tunney</b>
<b>Ward Councillor</b>	<b>Councillor Jacqueline Bright</b>

### **IMPLICATIONS**

Financial Implications: None

Environmental Implications: See 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

Local Plan  
Application File  
SPD3 – Parking Provision for Developments