

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

12 July 2022

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

22/0664/FUL

Land To The East Of Cleasby Way, Eaglescliffe

Application for a new access roads for the creation of approximately 100no vehicle spaces to include the installation of 10no electric vehicle charging station and any associated ancillary works to include 2 metre high palisade fencing.

Expiry Date: 6 July 2022

SUMMARY

The application seeks planning permission for a new access road from Cleasby Way and the creation of approximately 100no vehicle spaces to include the installation of 10no electric vehicle charging stations and associated ancillary works to include 2-metre-high palisade fencing.

The scheme would be delivered in two phases; with the access road from Cleasby Way being delivered as Phase 1 and the car park itself delivered as Phase 2. The creation of a large car park within the eastern portion of Durham Lane Industrial Park is intended to serve Eaglescliffe Railway Station users and would be accessed by an enhanced pedestrian footbridge over the rail line which has been considered and approved separately under Prior Approval (ref: 22/0904/DLO).

The application comes before Members as it falls outside of the definition of 'minor development' due to the overall floor area proposed within the extension exceeding 500 sqm. Two comments to the proposed development have been received.

In summary, it is considered that the nature and scale of the development is acceptable and would not have a significant detrimental impact on the character of the Durham Lane Industrial Park. It is considered that the development will not have any significant undue impact on the amenity of neighbouring sites and would not lead to any significant levels of traffic and disturbance during its construction or its subsequent use.

The proposed works are in accordance with the wider aims of Stockton-on-Tees Local Plan for the expansion and re-development of Eaglescliffe Railway Station. The proposed development is therefore recommended for planning approval subject to conditions as set out below;

RECOMMENDATION

That planning application 21/0664/FUL be approved subject to the following conditions and informative:

Phase 1 and 2 conditions

01 Time Period for Commencement

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
285737-ARP-XX-XX-DR-YP-0002	21 June 2022
285737-ARP-XX-XX-DR-YP-0001 (3)	21 June 2022
285737-ARP-XX-XX-DR-YP-0001 (1)	21 June 2022
285737-ARP-XX-XX-DR-YP-0001	21 June 2022
285737-ARP-XX-XX-DR-CH-0501	21 June 2022
285737-ARP-XX-XX-DR-CH-0500	21 June 2022
285737-ARP-XX-XX-DR-CH-0100	21 June 2022
285737-ARP-CP-XX-DR-CH-0100	21 June 2022
285737-ARP-AR-XX-DR-CH-0100	21 June 2022
285737-ARP-XX-XX-SK-ZX-0001	1 April 2022

Reason: To define the consent.

03 **Phased Delivery**

Notwithstanding the submitted details, no part of the Phase 2 development for the carpark as shown on plan 285737-ARP-XX-XX-DR-YP-0002 submitted on 21 June 2022 shall not commence until all conditions relating to the approval of this part of the application have been submitted to and been approved in writing by the Local Planning Authority.

Reason: To achieve a satisfactory form of development.

04 **Construction Hours**

Construction activity hours on site (including deliveries to and from the site), shall be restricted to between the hours of 08:00-18:00 on Mondays- Fridays, 09:00-13:00 on Saturdays and at no any time on Sundays or Bank holidays.

Reason: In the interests of the amenity of the occupiers of the neighbouring properties.

05 **Drainage Strategy**

Notwithstanding the submitted information, for each phase of the development, full details of all associated drainage shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development. Any submitted scheme shall be in broad accordance with the submitted drainage strategy (dated 21 June 2022) and contain the following information;

- Full details of all associated drainage routes and connections points
- That surface water discharges shall be the surface water sewer at manhole 0201.
- Identify the surface water discharge rate which shall not exceed the available capacity of 7.5 l/sec that has been identified in this sewer.
- A management and maintenance plan

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

06 Light Intrusion

Details of all external lighting of the buildings and car-parking areas shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. Before the use commences, such lighting shall be shielded and aligned to avoid the spread of light in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and thereafter such lighting shall be maintained to the same specification and adjusted, when necessary, to the satisfaction of the Local Planning Authority

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

07 Construction Traffic Management Plan

Within each phase, no development shall take place, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Traffic Management Plan shall provide details of:

- i. the site construction access(es)
- ii. the parking of vehicles of site operatives and visitors;
- iii. loading and unloading of plant and materials including any restrictions on delivery times;
- iv. storage of plant and materials used in constructing the development;
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- vi. measures to be taken, including but not limited to wheel washing facilities and the use of mechanical road sweepers operating at regular intervals or as and when necessary, to avoid the deposit of mud, grit and dirt on the public highway by vehicles travelling to and from the site;
- vii. measures to control and monitor the emission of dust and dirt during construction, including dampening down, dust screens and wheel washers; Any Mobile crushing and screening equipment shall have any appropriate local authority PPC permit required and a copy of this permit available for inspection.
- viii. a Site Waste Management Plan;
- ix. details of the HGVs routing including any measures necessary to minimise the impact on other road users;
- x. measures to protect existing footpaths and verges; and
- xi. a means of communication with local residents.

The approved Construction Traffic Management Plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and residential amenity.

08 Soil Mound Retention

The proposed soil mounds at the site shall be in accordance with plan 285737-ARP-CP-XX-DR-CH-0100 submitted on 21 June 2022 and shall be retained for the lifetime of the development.

Reason: In the interests of the amenity.

09 Breeding Birds

No vegetation or trees shall be removed within the bird breeding season (1st March – 31st August) unless a survey for breeding birds, completed by a competent ecologist, has first

been carried out and those findings are submitted to and approved by the Local Planning Authority.

Reason: In the interests of protected species.

10 Archaeology

Within each phase, no development shall take place, until an Archaeology Management Plan has been submitted to, and approved in writing by, the local planning authority. The Archaeology Management Plan shall provide details of the measures to protect existing and potential heritage assets on site including:

- i) The establishment of a membrane covering areas of well-preserved earthworks prior to the relocation of spoil heaps
- ii) A specified vehicle route for the temporary access track

The approved Archaeology Management Plan shall be adhered to throughout the construction period.

Reason: To preserve archaeological remains.

Phase 2 Conditions:

11 Phase 2 layout plan

Prior to the commencement of Phase 2 of the development, a detailed site layout plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development and secure the phased delivery of the proposed works.

12 No-dig construction

Prior to the commencement of Phase 2 of the development, all no-dig construction methods for hard surfacing shall be submitted to and approved in writing by The Local Planning Authority. The development shall be carried out in full accordance with those agreed details.

Reason: To protect the ground and any tree roots around the site.

13 Preliminary Risk Assessment

No development, within Phase 2 shall take place until a scheme including the following information is submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. 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.
4. 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). Any changes to these components require the express

written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water and land pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

14 Arboricultural Impact Assessment

Prior to the commencement of the Phase 2, an Arboricultural Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority in accordance with BS5837. 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.

15 Arboricultural Method Statement and Tree Protection Plan

Prior to the commencement of the Phase 2, a scheme for the protection of trees in the form of an Arboricultural Method Statement and a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority in accordance with BS5837. 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 existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality that should be appropriately maintained and protected.

16 Boundary Treatment

Prior to the commencement of Phase 2 of the development, full details of all associated boundary treatments and means of enclosure shall be submitted to and be approved in writing by the Local Planning Authority. Phase 2 shall be constructed in full accordance with those agreed details thereafter.

Reason: In the interests of visual amenity.

17 Bat Survey and Inspections

Prior to the commencement of Phase 2 of the development, a bat survey, including a tree climbing inspection, shall be completed by a competent ecologist on all affected trees as defined within the Preliminary Ecological Appraisal submitted by Argus Ecology on 6 April 2022. The findings of both the bat activity survey and tree climbing inspected shall be submitted to and approved in writing by the Local Planning Authority.

Should any bat roosts be found then a full mitigation strategy for the phase 2 works shall be submitted to the Local Planning Authority for approval and the development shall be carried out in full accordance with any agreed mitigation strategy thereafter.

Reason: In the interests of protected species.

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.

Informative: Northern Gas Networks

There may be apparatus in the area that may be at risk during construction works and NGN require the promoter of these works to contact NGN directly to discuss their requirements in detail. Should diversionary works be required these will be fully chargeable.

SITE AND SURROUNDINGS

1. The proposed car park is to be located to the west of the Eaglecliffe Railway Line, adjacent to the Durham Lane Industrial Park. To the east of the site is the live rail line, Eaglecliffe Train Station and beyond that, residential properties.
2. To the north of the site is green field land, to the west and south of the site are units associated with the use of the Durham Lane Industrial Park and Preston-on-Tees Cricket Club. The site is accessed via Cleasby Way from Durham Lane, through the Durham Lane Industrial Park.
3. The application site is within Stockton-on-Tees Borough Council's ownership and its existing use is green field land. Soil mounds associated with previous development at the Durham Lane Industrial Park are presently stored at the site and would be relocated elsewhere on the wider green field site.

PROPOSAL

4. The aim of the application is to provide a phased approach for the delivery of firstly an access road from Cleasby Way, Durham Lane Industrial Park (Phase 1), and the creation of an approximate 100no space carpark (Phase 2).
5. The delineation of the phasing is shown on the Outline Phase Plan (Doc Ref: 285737-ARP-XX-XX-DR-YP-0002). The scheme would be delivered in this phased approach to allow works associated with the Network Rail station improvements to be undertaken without impacting the proposed car park scheme construction work programme.

CONSULTATIONS

6. The following consultation responses have been received as set out below (in summary):-
7. **Northern Gas** – No objections to the proposal, recommends an informative relating to any associated apparatus that may be in close proximity to the development.
8. **Northumbrian Water Limited** – No objections, provided the application is approved and carried out within strict accordance with the submitted document entitled "Drainage Strategy".
9. **Environmental Health** – No objection, provided the application is approved with conditions controlling construction/demolition noise, light intrusion and dust emissions.
10. **Environmental Health, Land Contamination** – No objection to the commencement of the access road (Phase 1) and the contaminated land condition, as recommended, can be discharged in stages as each part is completed.

11. **Highways Transport & Design Manager** – No objections to the proposals, but requests a condition to control the layout of Phase 2 is imposed, which may require minor modifications to the layout as set out below.

Highways Comments

There are no objections to the proposed works provided a construction traffic management plan is secured by condition.

Landscape and Visual Comments

There are no objections to the proposed works however further information is required regarding site trees on and adjacent to the Phase 2 area of the development. Survey and assessment work is currently being progressed, once complete, this information may impact upon the layout and proposed construction methods. Phase 1 does not affect any trees or hedgerows on site.

It is requested that the site layout and detailed construction of Phase 2 is controlled by condition to allow for modifications necessary to accommodate mature trees on and adjacent to the site. Information required should include; an arboricultural impact assessment, arboricultural method statement and tree protection plan, updated Phase 2 layout and updated construction details including no dig construction methods.

Flood Risk Management

The Lead Local Flood Authority (LLFA) are satisfied that the submitted drainage strategy will not increase existing flood risk to the area. All works must be undertaken in accordance with the submitted document, Drawing Number: 285737-ARP-XX-XX-DR-CH-0500 Rev P3.

The Management and Maintenance Plan is not complete therefore the LLFA request that this is secured by condition.

12. **Network Rail** – General comments of support were made for the application.
13. **Natural England** - There are no objections to the proposed works
14. **The Friends of Stockton and Darlington Railway** – General comments of support were made for the application.
15. **Tees Archaeology** - the trial trenching conducted on site, has indicated that the site is of low archaeological potential. No further archaeological works are necessary within the proposed development site.

However, it is noted that a temporary access route to allow the relocation of the spoil mounds is proposed to run through the wider (as yet unevaluated) site, across areas identified as having medieval ridge and furrow (HER 9543 & 9547). The best-preserved ridge and furrow is situated in the north-western corner of the red line boundary, where the spoil mounds are to be relocated.

In order to minimise possible damage to any underlying archaeological remains which may be present, we recommend that a specified route is set for the vehicle movement; we also recommend that a membrane is laid down on the well-preserved ridge and furrow, so that any future removal of spoil does not dig into earthworks.

16. **Sport England** - Sport England has reviewed the ball-strike risk assessment and in light of its conclusions, we are satisfied that the degree of separation between the car park and cricket is sufficient that the risk of ball-strike is negligible. The proposal has therefore been shown not to prejudice the continued use of the adjacent cricket ground

17. **Durham County Badger Group** – There are no additional comments to those recommendations and observations included in the ecology reports.

PUBLICITY

18. Publicity has been given to the planning application through a site notice and neighbour notification letters. The letters of objection and support are set out below:

Mr Mark Trainer, Preston Cricket Club And Yarm Rugby Club

Yarm Rugby Club have no objection in principle to the development but would like to raise the following concerns in relation to the development. These include:

Construction/ Demolition Noise - We are concerned about the impact of construction/demolition noise on the activities at the club. This could lead to reduced use of the facilities which would then impact upon revenue for the club. We appreciate this will be low level as the club is active on weekday evenings and weekends but would like assurances that the work will be limited at these times.

Site Access - We are concerned about access to our site for evening training sessions and weekend match days. In particular, the work to create a footpath from the proposed car park to Wass Way could impact upon our access to the grounds, and the potential impact this will have on revenue for the club. We would like assurance that access to the club's facilities will not be impacted upon.

Dust and mud - We are concerned about a potential increase in dust during the works which potentially could cover the club's facilities leading to an increase in cleaning costs and reduced revenue due to the untidy look of the facilities. In addition, there is a potential increase in mud and dirt on the carriageway which could impact on those using the rugby club. We would like assurances that there will be controls in place to reduce/remove the impact of dust and mud on the club during the works.

Spoil Mound - We can see from the plans that part of the existing spoil mound is to remain and create a barrier between the club and the car park. We would like assurances that there is no intention by the Council to use this land for further development and therefore could potentially be acquired by the club to develop our facilities and provide additional community assets.

Ian Peacock, Preston Cricket Club

Severe concerns around the proposed development and its possible impact of the ground of Preston on Tees Cricket Club. The main issues were;

Cricket balls could be hit from the ground into the car park causing damage to cars. Failure to mitigate this hazard could very well lead to the closure of the Cricket Club due to insurance claims etc. Two potential solutions were discussed, a high netting boundary fence to stop the balls.

This would need to be put up and maintained by SBC as the cost would be prohibitive to the Club and mean the possible Club closure. The other potential solution to the issue is the keeping in place of the current earth mound that sits approximately 2m inside the development land.

As far as we are aware no cricket balls have ever been hit over the mound although they are hit out of the Club grounds and land in front of the mound. This was agreed to be the best way forward. However, the proposed reduction in size of the mound needs to be carefully thought out do the protection of the car park is not reduced by the changes.

2) Drainage of the Club pitches. The Club currently suffers from waterlogging of pitches in winter. This is due in part to the reduction of the natural land drainage by developments around the Ground. The grounds drainage system was designed to make the water flow into a drainage ditch that runs along the length of the boundary between the Cricket club and RPS site. This ditch originally went all the way across the land to a ditch that was alongside the railway line. This has been partially filled in due to lack of maintenance by the land owners. The car park if no mitigation was put in place would stop any chance of water leaving the Cricket Club site naturally.

The SBC representatives agreed to pipe the ditch under the car park and away into the railway Ditch. They intimated that they would try and get Network Rail to maintain the ditch on their land. Failure to do anything would definitely endanger the Sport Clubs ongoing existence. If no mitigation is put in place to combat the effects on the sports ground from the proposed new development then a Sports Club that has existed on this site for exactly 100 years would inevitably be put at risk.

The closure of the ground would mean the loss of a local amenity that serves the Eaglescliffe area and beyond. Two cricket teams and a rugby club with senior junior and ladies active sections would be put at real risk due to waterlogged pitches and potential litigation for damage.

PLANNING POLICY

19. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
20. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

National Planning Policy Framework

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

Paragraph 104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued.

Paragraph 106. Planning policies should:

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;
- b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;
- c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;
- e) provide for any large scale transport facilities that need to be located in the area⁴⁴, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements

Paragraph 107. If setting local parking standards for residential and non-residential development, policies should take into account:

- a) the accessibility of the development;
- b) the type, mix and use of development;
- c) the availability of and opportunities for public transport;
- d) local car ownership levels; and e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Paragraph 108. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework).

Paragraph 110. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code ; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 183. Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Local Planning Policy

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

Policy 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.

Policy SD5 - Natural, Built and Historic Environment

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

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

- a. Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
- c. Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
- d. Enhancing woodlands and supporting the increase of tree cover where appropriate.
- j. Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.
- 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.

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.
- c. Supporting sustainable water management within development proposals.

Policy 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.

Policy 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.

EG1 - General Employment Sites

1. New general employment proposals will be directed to existing premises and allocated sites in the following locations:

- g. Durham Lane, 30ha. General employment development focusing on logistics (B8 Use Class) manufacturing and engineering (B2 Use Class).

Policy TI1 – Transport Infrastructure Delivering A Sustainable Transport Network

1. To support economic growth and provide realistic alternatives to the private car, the Council will work with partners to deliver an accessible and sustainable transport network. This will be achieved through improvements to the public transport network and routes for pedestrians, cyclists and other users.

4. Sites and routes which will play a role in developing infrastructure to widen transport choice will be safeguarded from development which would impact negatively on their delivery or attractiveness to potential users; routes include:

- f. Car parking to the west of Eaglescliffe Station and footbridge over the railway line.

Policy Justification extract

7.9 Eaglescliffe Station has seen a significant increase in patronage in recent years due to the extended range of services offered from the station, particularly direct services to London. This has led to pressure on existing infrastructure at the station, including the car park. Whilst the car park was significantly extended in 2014, it is anticipated that increased patronage will require the provision of another car park. As there is no further land availability on the east side of the line, it is critical to ensure land to the west of the station is made available for this provision. The

introduction of a connecting footbridge will also promote sustainable commuting by providing a convenient link between residential areas and Durham Lane Industrial Estate.

Policy 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.
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.
8. Within critical drainage areas or other areas identified as having particular flood risk issues the Council may:
 - a. Support reduced run-off rates.
 - b. Seek contributions, where appropriate, towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.

Policy ENV5 – 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.

Policy ENV6 - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

3. The Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. The loss of open space as shown on the Policies Map, and any amenity open space, will not be supported unless:
 - a. it has been demonstrated to be surplus to requirements; or
 - b. the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c. the proposal is for another sports or recreational provision, the needs for which, clearly outweigh the loss; or
 - d. the proposal is ancillary to the use of the open space; and
 - e. in all cases there would be no significant harm to the character and appearance of the area or nature conservation interests.

Policy 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.

Policy HE3 – Stockton & Darlington Railway

1. The Council will support development which safeguards the route of the historic Stockton & Darlington Railway of 1825, the branch line to Yarm and associated structures, and which preserves and enhances this cultural asset, its archaeological remains and setting.
2. The Council will require any proposal for development on or adjacent to the line(s) to show how the proposal has regard to the preservation of any physical remains along the route(s) and their interpretation on the ground, and otherwise respects and interprets the route(s) where those remains no longer exist.

MATERIAL PLANNING CONSIDERATIONS

24. The main material planning considerations of this application are the compliance of the proposal with national and local planning policy, the impacts upon the character and appearance of the area, the impact on the privacy and amenity of neighbouring sites, the impact on the highway network and highway safety, flood risk, contaminated land, ecology and other material planning considerations.

Principle of the Development

25. The application site relates to an area of green field land within Stockton-on-Tees Borough Council's ownership within the defined limits of Durham Lane Industrial Park and the proposed carpark would serve as an additional carpark to that of the existing located at Eaglescliffe Railway Station to the east of the site.
26. In conjunction with the enlarged footbridge serving Eaglescliffe Railway Station that was granted prior approval under application 22/0904/DLO the carpark would be ideally situated to serve the needs of the associated infrastructure at the Railway Station. Although the proposed carpark would not result in a B2/B8 use operating from the site, it would have wider economic and sustainability benefits in supporting businesses travelling to/from the site through accessing the wider railway network and may encourage further inward investment into the industrial estate.
27. A key aim for the development of this land is set out within Local Plan Policy justification for policy T11 (paragraph 7.9), which states "*Eaglescliffe Station has seen a significant increase in patronage in recent years due to the extended range of services offered from the station, particularly direct services to London. This has led to pressure on existing infrastructure at the station, including the car park. Whilst the car park was significantly extended in 2014, it is*

anticipated that increased patronage will require the provision of another car park. As there is no further land availability on the east side of the line, it is critical to ensure land to the west of the station is made available for this provision. The introduction of a connecting footbridge will also promote sustainable commuting by providing a convenient link between residential areas and Durham Lane Industrial Estate.”

28. The proposed access road associated with this application had recently been approved under a separate application 21/2028/FUL for a nearby site, Returnable Packaging Services Ltd (RPS), but had not come to fruition at the time of writing. The principle of the proposed access road has therefore already been established and with no change in policy, remains acceptable.
29. It is considered that the proposed carpark and access road will provide a much-needed resource for Eaglescliffe Railway station and the wider Eaglescliffe community, and it is considered that it complies with national and local planning policy. The principle of development is acceptable subject to further material considerations as considered below.

Impact on the Character of the surrounding area

30. Planning Policy SD8 states that 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 character and sensitivity of the surrounding buildings.
31. It is considered that due to the industrial backdrop of the Durham Lane Industrial Park which bounds the application site to the south and to the west, the surrounding adjacent area has a precedent of large, incongruous structures and vast areas of hardstanding associated with the use of the land. Due to the low-lying form of the proposed carpark and access road, it is not considered that the introduction of an area of hardstanding for car parking would be of detriment to the wider character of the area and is acceptable.
32. The application site is bound by an area of mature vegetative cover to the east and would screen the proposed development in its entirety from the users of Eaglescliffe Railway Station and the residential areas beyond this. It is therefore considered that there would be little to no impact on the character of the area when from vantage points to the east of the application site.
33. Overall, there are no landscape and visual objections to the proposals. However, Phase 2 of the proposed development would require more information to be submitted and it is considered that as a car parking can satisfactorily be accommodated on the site, these finer details can be adequately controlled via planning conditions. Such aspects would include fencing, arboricultural statements and landscaping.

Impact on the amenities of the surrounding sites

34. Planning Policy SD8 seeks to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings. The scheme proposes to introduce an area of hard landscaping in the form of new car-parking and access road. The existing backdrop of the site is predominantly industrial in nature consisting of hard landscaping and industrial sheds throughout the adjacent sites.
35. Therefore it is not considered that there are any sensitive receptors (such as residential properties) within the immediate area of the proposed car park, given they are on the opposite side of the railway line. Consequently, the proposed scheme would not give rise to amenity issues for the neighbouring industrial sites and is therefore considered to be acceptable.
36. Environmental Health have reviewed the submitted information and offer no objections to the proposals subject to conditions controlling the operational hours of the site, dust emissions and light intrusion.

Impact on Sports Facilities

37. To the west of the site is Preston-on-Tees Cricket Club which is also in part use by Yarm Rugby Club. Comments have been made with regards to the potential for balls to be hit into the area of proposed carpark.
38. As requested by Sport England, a ball-strike assessment has been submitted with the application and in light of its conclusions, it is considered that there is a satisfactory degree of separation between the car park and cricket ground and is sufficient that the risk of ball-strike is negligible.
39. A soil mound that would separate the proposed carpark and Preston-on-Tees Cricket Club would be reprofiled at the site and would offer a degree of screening between the sites and is also considered to aid in protecting the cars within the carpark from the potential of a stray balls associated with the use of the cricket club. It is therefore recommended that the soil mound is secured by condition.

Flood Risk

40. The Lead Local Flood Authority (LLFA) have reviewed the submitted Drainage Strategy and are satisfied that the scheme would not exacerbate the existing flood risk to the area. The LLFA has highlighted that further information is required with respect to maintenance and management and a condition is recommended to control the final details of the drainage solution and also the maintenance and management arrangements.
41. Northumbrian Water offer no objections to the proposal, provided the works are in accordance with the submitted Drainage Strategy.

Land contamination

42. During Phase 1 of the proposed works for the access road, land contamination in this area is anticipated to be minimal, with the submitted desk study not identifying any likely sources of contamination in this area. This was also confirmed by recently approved application 21/2028/FUL for neighbouring RPS site which found that there were no raised levels of contaminants that would pose risk to human health.
43. Environmental Health are satisfied from a land contamination perspective that the proposed development can be carried for Phase 1 of the development without the need for any further information or conditions to be implemented. A condition has been requested for Phase 2 of the proposed development and requests that a preliminary risk assessment be submitted and approved in writing by the Local Planning Authority prior to any part of the Phase 2 development commencing.

Highway Safety

44. The Highways Transport and Design Manager has considered the proposed scheme and comments that traffic movements within Cleasby Way are observed to be low and the proposal is expected to have peak hours outside of the standard road network peak hours. Overall, it is considered that the junction would function satisfactorily with the additional traffic.
45. There are no objections to the proposed layout b a condition is requested to control the layout of Phase 2 of the proposed development. A condition has also been recommended with respect to a specific construction traffic management phasing plans in order to manage the deliveries in and out of the site.

Ecology

46. A preliminary ecological appraisal of the application site has been submitted with the application. The report identifies that the site has limited ecological value with few species present on site, expect for the potential for good bat foraging habitat and there are a number of trees supporting potential roost features.

47. Phase 1 of the development is not in close proximity of any of those trees identified as having the potential for bat roosts and therefore no further action would be considered necessary for this phase of the development.
48. Phase 2 however, would be within close proximity to those trees and could potentially impact a number of trees at the application site with the potential of housing a bat roost. It has been confirmed in writing that bat surveys are in the process of being completed for the site. It is recommended that these bat surveys are submitted to and approved in writing by the Local Planning Authority prior to the commencement of Phase 2 in order to establish whether any roots are present and if so, what mitigation measure will be necessary.
49. A condition is also recommended to control vegetation removal during the bird breeding season, unless a bird breeding check has first been undertaken and those findings submitted to the Local Planning Authority.

Features of Archaeological Interest

50. Tees Archaeology have provided comments on the application following the results of a period of trial trenching. It has been indicated that the site is of a low archaeology potential and as a result no further archaeological works would be necessary within the proposed development site.
51. The existing soil mounds on site are to be relocated to the northwest corner of the red line boundary. This area has been identified as having medieval ridge and furrow. A temporary access road to allow the relocation of these soil mounds would run through the site.
52. Conditions are recommended by Tees Archaeology to minimise possible damage to any underlying archaeological remains which may be present. It is recommended that a specified route is set for vehicular movement and that a membrane is laid down on so that any removal of soil does not dig into the ridge and furrow earthworks.

Nutrient Neutrality

53. Natural England has confirmed based on the guidance currently written that that Nutrient Neutrality does not apply to commercial developments or matters which relate to surface water run-off as the guidance is focussed on additional foul water discharges and therefore additional surface water runoff from the proposed car park is not covered by the guidance.
54. Therefore the provision of a car park as proposed would not significantly increase levels of foul water generated and it is therefore out of scope of Nutrient Neutrality.

CONCLUSION

55. Overall, it is considered that the nature and scale of the development is acceptable in principle and will not adversely affect the character of the surrounding area, amenity or neighbouring occupiers or highway safety.
56. The proposed development would be in accordance with the wider aims of Stockton-on-Tees Borough Council's Local Plan to introduce a car parking facility on this designated land. The proposal is therefore considered to be in line with general planning policies set out on the Development Plan and The National Planning Policy Framework.
57. The application is therefore recommended for approval subject to the conditions outlined earlier in this report.

Director of Finance, Development and Business Services
Contact Officer Joe Port. Telephone No. 01642 524362

WARD AND WARD COUNCILLORS

WARD	Eaglescliffe
Ward Councillor	Councillor Stefan Houghton
Ward Councillor	Councillor Laura Tunney
Ward Councillor	Councillor Jacqueline Bright

IMPLICATIONS

Financial Implications: N/A

Environmental Implications: Matters relating to visual impacts, including the retention of trees/landscaping and ecology have been considered in the report above.

Background Papers:

National Planning Policy Framework
Stockton on Tees Local Plan Adopted 2019