

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
3 AUGUST 2022
REPORT OF DIRECTOR OF FINANCE,
DEVELOPMENT AND BUSINESS SERVICES**

22/0477/VARY

Yarm School, The Friarage, The Spital

Section 73 application to vary condition no2 (approved plans), no4 (landscaping), no6 (ecological mitigation), no7 (Construction Management Plan), no12 (method statement), no13 (archaeological work), no18 (ground conditions) and no25 (contamination) of planning approval 17/2942/FUL - The erection of a footbridge (for school use only) across the River Tees and the formation of grass playing pitches with associated access

Expiry Date: 5th August 2022

SUMMARY

The site is located to the north of the River Tees in Yarm on land within a loop of the River. The site extends to 14.3 hectares in area and is bound to the north by the village of Egglescliffe and by scrub and grazing land; to the south by the River Tees; to the east by arable farmland and beyond that the River Tees; and to the west by the River Tees and beyond that Yarm School and Yarm High Street.

Planning permission for the *erection of a footbridge (for school use only) across the River Tees and the formation of grass playing pitches with associated access* was refused by Planning Committee on the 27 February 2018 and the appeal was subsequently allowed (Application Ref; 17/2942/FUL and appeal ref. APP/H0738/W/18/3202662). Work has commenced on site and therefore the permission is extant.

Planning permission is sought to vary the approved plans for the pedestrian footbridge across the River Tees and various changes to the wording of the conditions.

A number of objections have been received in relation to the principle of development and matters which cannot be revisited.

The playing pitches have been implemented and are not changing as part of this application. The details that are to be amended is the design of the bridge and the location which is moving 6 metres further South and these are the only issues that can be considered as part of the application. The proposed revisions have been fully assessed and are considered acceptable.

The scheme has been implemented and a number of conditions discharged. Therefore a number of conditions are proposed to be amended to reflect the current situation. These conditions are marked with an asterisk for ease.

RECOMMENDATION

That planning application 22/0477/VARY be approved subject to the following conditions and informatives;

1. 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).

***2. Approved Plans**

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

Plan Reference Number	Date Received
CL/YSP 01C	22 February 2022
CL/YSP 02A	22 February 2022
CL/YSP 04	22 February 2022
D225.D.103A	22 February 2022
D225.L.100D	22 February 2022
D225.L.102C	22 February 2022
D225.L.200F	22 February 2022
D225.L.203D	22 February 2022
D225.L.300B	22 February 2022
D225.P.101C	22 February 2022
D225.P.201F	22 February 2022
D225.P.202D	22 February 2022
DL/YSP 03	22 February 2022
KA2176-001	22 February 2022
KA2176-002	22 February 2022
KA2176-003	22 February 2022
KA2176-004	22 February 2022
KA2176-005	22 February 2022
KA2176-006	22 February 2022
KA2176-007	22 February 2022
KA2176-A	22 February 2022
SD-10.08	22 February 2022
S-20-039-002 P1	16 May 2022

Reason: To define the consent.

3 Finishing Materials

Prior to any above ground construction works in each phase (as shown on the approved phasing Plan ref. SD-10.08), details of all external finishing materials including surfacing of footpaths and access tracks shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to reserve the rights of the Local Planning Authority with regard to these matters.

***04 Detailed scheme for landscaping and tree**

Notwithstanding the submitted information a detailed scheme for landscaping and tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development is commenced on the footbridge Phase (as shown on the approved Phasing Plan ref. SD-10.08). The scheme shall specify types and species, layout contouring and surfacing of all open space areas including details of local plant provenance to improve ecological values and the creation of wildlife corridors. The scheme of landscaping shall also include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection to be used in the course of development (Section 7, BS 5837:2012 or

equivalent British Standard if replaced). The scheme shall also show the treatment proposed to all ground surfaces.

The approved measures to protect trees and hedgerows 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.

The approved landscaping and planting in the footbridge phase (as shown on the approved Phasing Plan ref. SD-10.08) shall be carried out in the first planting and seeding season following the first use of the development and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

The playing pitches phase (as shown on the approved Phasing Plan ref. SD-10.08) shall be carried out in accordance with the measures outlined within the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, prepared by Elliott Consultancy (ref: ARB/AE/1686). The approved landscaping and planting in the playing pitches phase (as shown on the approved Phasing Plan ref. SD-10.08) shall be carried out in the first planting and seeding season following the first use of the development and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Prior to commencement of any site works, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To ensure the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and that the work is carried out in accordance with the approved details to improve the appearance of the site in the interests of visual amenity and promotion of Biodiversity.

05 Construction Hours

Construction works and all associated groundworks, activity and deliveries shall take place only between the hours of 0800 and 1800 on Mondays to Fridays and only between the hours of 0900 and 1300 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

***06 Ecological mitigation**

No development in the footbridge phase (as shown on the approved Phasing Plan ref. SD-10.08) shall commence before a scheme for ecological mitigation based upon the advice and recommendations set out in the Ecological Impact Appraisal, E3 Ecology Ltd Report October 2021, including a timetable for implementation is submitted to and approved by the Local Planning Authority. The approved scheme in the footbridge phase shall be implemented in full and be maintained thereafter.

The playing pitches phase (as shown on the approved Phasing Plan ref. SD-10.08) shall be carried out in full accordance with the submitted Ecological Mitigation Timetable, prepared by E3 Ecology Ltd, dated September 2021.

Reason: To conserve protected species and their habitat

***07 Construction Management Plan**

No development in the footbridge phase (as shown on the approved Phasing Plan ref. SD-10.08) shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Management Plan shall provide details of:

- the site construction access
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials including any restrictions on delivery times;
- any works/contractors' compound(s) (including any buildings, moveable structures, works, plant, machinery, access and provision for the storage of vehicles, equipment and/or materials); and a scheme for the removal of the works/contractors' compound(s) and the restoration of the land on which it is situated.
- the erection and maintenance of security hoarding including any decorative displays and facilities for public viewing,
- measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site;
- measures to control and monitor the emission of dust and dirt during construction;
- a Site Waste Management Plan;
- details of the routing of associated HGVs including any measures necessary to minimise the impact on other road users;
- measures to protect existing footpaths and verges; and a means of communication with local residents.

For the avoidance of doubt there shall not be any temporary buildings or services located within the functional floodplain (Flood Zone 3b). The approved Construction Management Plan for the footbridge phase shall be adhered to throughout the construction period.

The development of the playing pitches phase (as shown on the approved Phasing Plan ref: SD-10.08) shall be carried out in full accordance with the approved Pre-Construction Phase Health and Safety Plan, prepared by CLS Sports, dated September 2021.

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

*** 08 Flood Risk Assessment**

The development shall be carried out in accordance with the submitted flood risk assessment (ref Yarm School Footbridge Flood Risk Assessment Final Report December 2021, JBA Consulting) and the following mitigation measures it details:

- The bridge soffit level shall be set no lower than 9.0 metres above Ordnance Datum (AOD) as highlighted within sections 4.1 and 5 of the FRA

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason : To reduce the risk of flooding to the proposed development and future occupants.

09 Safe Routes

Prior to the first use of the bridge and/or sports pitches, a scheme for the provision of safe route(s) into and out of the site to an appropriate safe haven shall be submitted and be approved by the

Local Planning Authority. The development shall only be used in accordance with the provisions of the approved scheme.

Reason: To ensure safe access and egress from and to the site

10 Flood Defence Access

Prior to the first use of the bridge and/or sports pitches a scheme for flood defence access shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the following:

- Details showing that the existing flood defence on the River Tees will be protected;
- The area surrounding the flood defence embankment will be open and access will be available to the Environment Agency at all times to allow for future maintenance;
- Access to the flood defences will be able to accommodate large and heavy machinery to ensure all types of works are achievable on the flood defence by the Environment Agency's maintenance teams.

The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason : To reduce the risk of flooding to homes that are afforded protection by the flood defence.

11 Piling Works

There shall be no piling activities in the hours of darkness.

Reason : To safeguard the natural environment

***12 Invasive Weeds Management Methodology**

The development shall be carried out in full accordance with the approved Invasive Weeds Management Methodology, prepared by TGP Landscape Architects, dated May 2020.

Reason: Giant Hogweed, Himalayan balsam and Japanese Knotweed are all listed under schedule 9 of the Wildlife and Countryside Act 1981.

***13 Programme of archaeological work**

No development in the footbridge phase (as shown on the approved Phasing Plan ref. SD-10.08) shall take place, until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority. The scheme shall include an assessment of significance and research questions; and:

- i. The programme and methodology of site investigation and recording;
- ii. The programme for post investigation assessment;
- iii. Provision to be made for analysis of the site investigation and recording;
- iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- v. Provision to be made for archive deposition of the analysis and records of the site investigation;
- vi. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the approved Written Scheme of Investigation.

The footbridge (as shown on the approved Phasing Plan ref. SD-10.08) shall not be used before the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

The playing pitches phase (as shown on the approved Phasing Plan ref. SD-10.08) shall be carried out in accordance with the approved Written Scheme of Investigation, prepared by Northern

Archaeological Associates, dated April 2021. The playing pitches (as shown on the approved Phasing Plan ref. SD-10.08) shall not be used before the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archived position has been secured.

Reason: In the interests of the preservation of any archaeological remains.

14 Detailed Design of the Bridge

Notwithstanding the details shown in the approved plans, precise details of the design and design criteria for the bridge shall be submitted to and approved in writing by the Local Planning Authority and the development shall be implemented in accordance with the approved scheme.

Reason: To ensure a satisfactory form of development.

15 Hours of Use

The bridge and playing pitches shall not be used after 1900 hours on any day.

Reason: In the interest of residential amenity

16 Maintenance and management plan for the bridge

A scheme for the maintenance and management of the use of the bridge, to include the hours of use, shall be submitted to and be approved in writing by the Local Planning Authority prior to the erection of the bridge. The bridge shall be used only in accordance with the approved scheme.

Reason: To enable the Local planning Authority to control details of the development

17 Management Scheme – Playing fields

Prior to the first use of the playing fields a management scheme to include access to the playing fields and the maintenance access gate at Eggescliffe, management responsibilities, including car parking management, hours of operation and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the development.

Reason: To ensure the satisfactory management arrangements of the facilities

***18 Ground Conditions**

Work shall be undertaken in accordance with the scheme submitted and approved under application 21/1145/DCH. The playing pitches shall be constructed in accordance with the approved scheme.

Reason: To ensure that an adequate quality playing field is provided.

19 Community use scheme

No playing pitches shall be brought into use until a community use scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall apply to the proposed playing pitches (and associated facilities) and shall include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities, a mechanism for review and a programme for implementation. The approved scheme shall be implemented upon the start of use of the development and shall be complied with for the duration of the use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

20 Yarm School Travel Plan

Prior to the first use of the bridge and/or sports pitches, the existing Yarm School Travel Plan (STP) shall be updated to include information that would be sent in advance to any visiting teams about parking arrangements; Information for parents that outlines that pupils must be dropped off / picked up from within the existing School site; and details of signage and stewarding to control traffic and parking for major events. The updated STP shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development and shall be adhered to thereafter.

Reason: In the interests of highway safety and to promote sustainable modes of travel.

21 Means of Enclosure

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure, field shelters or other ancillary buildings shall be erected or placed on the site.

Reason: In the interests of protecting the visual amenities of the area.

22 External Lighting

No external lighting shall be installed on the site and no floodlights or other methods of illuminating the site shall be erected without the prior written consent of the Local Planning Authority.

Reason: In the interests of protecting the visual amenities of the area.

23 Scour protection

The development of the footbridge in Phase 02 (as shown on the approved Phasing Plan ref. SD-SD-10.08) hereby permitted shall not be commenced until such time as a scheme to ensure that the river banks will be protected from scour has been submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: To ensure that the bank is protected from the effects of scour caused by the piers.

24 Life Buoys / Tow Lines

Full details of the number, location and type of life buoy's/tow lines to be provided shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the bridge. The life buoy's/tow lines as approved shall be installed prior to first use of the bridge and subsequently maintained.

Reason: To ensure a safe and secure environment

***25 Contamination**

No development in the footbridge phase (as shown on the approved Phasing Plan ref. SD-10.08) shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the Local Planning Authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority.

The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If,

during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the Local Planning Authority within 28 days of the report being completed and approved in writing by the local planning authority.

The works to the playing pitches shall be carried out in accordance with the recommendations set out in the Desk Study and Generic Quantitative Risk Assessment, prepared by EnviroConsult, dated July 2020. If, during the course of development of the playing pitches, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the Local Planning Authority within 28 days of the report being completed and approved in writing by the local planning authority.

Reason: To ensure a safe and secure environment

26 Playing Pitch use

The playing pitches shall not be brought into use until the bridge is completed and operational.

Reason: To control access to the playing pitches via the bridge.

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

Informative : Canal & River Trust

The applicant/developer is advised to contact Alan Daines (0113 200 5713) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust Code of Practice for Works affecting the Canal & River Trust.

Informative: Flood Risk Permits - Advice to Applicant

The River Tees within your site boundary is designated "main river" and under the Environmental Permitting Regulations 2010. You may require an environmental permit for flood risk activities. If you want to do work within 8 metres of a non-tidal sections, or 16 metres of the tidal section, instance where work is proposed:

- a) in, under or near a main river (including where the river is in a culvert;
- b) on or near a flood defence on a main river c) in the floodplain of a main river
- d) on or near a sea defence.

You can find out more information on permit requirements using the following link :

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. If a permit is required, it must be obtained prior to beginning the works.

The applicant is advised to contact the Environment Agency to discuss the issues likely to be raised. For further details about flood risk permits, please contact our local Partnerships and Strategic Overview team on NE EPR Permit@environment-agency.gov.uk

Informative : Biodiversity

Cofferdams - Confirmation of silt control will be required on water pumped from the encasement. Pumps to be screened to 3mm to comply with eel legislation and help prevent lamprey

entrainment. Any fish observed trapped within dewatered encasement to be removed and returned to the river. Silt removed from the bed within cofferdam should be monitored for eel and lamprey and any found returned to the river.

Informative: Protected Species

Otters have been recorded as part of the ecological appraisal. European Otters are a European protected species (EPS) and is also fully protected under schedule 5 of the Wildlife and Countryside Act 1981. It is an offence to capture, kill, disturb or injure an otter or to damage or destroy their breeding or resting places. It is also an offence to obstruct access to their resting or sheltering places (deliberately or by not taking enough care).

When completing in river works, construction of bridge and vegetation clearance to bankside, care must be taken to ensure otter are not disturbed. European Otters are recorded along this reach of the River Tees. If otters are seen, work should stop until they have moved through the area. If a hole or potential otter holt site is found then work should stop and qualified ecologist contacted. Any excavations left open overnight must have a means of escape for mammals that may become trapped. An otter checking survey should be undertaken no more than two months prior to the commencement of works.

Watercourses

Where tree planting is to occur adjacent to the watercourse we request that the applicant follow UK Forestry Standards (2017) for working near water (section 6.7). Where site works encroach on the watercourse we agree with the ecological reports recommended buffer zone of 10m, where the bank top is defined as the point that the bank meets normal land levels.

Signal Crayfish

The River Tees is a known waterbody for signal crayfish presence. Signal Crayfish are a non-native species listed under Schedule 9 to the Wildlife and Countryside Act 1981 with respect to England, Wales and Scotland. As such it is an offence to release or to allow the escape of this species into the wild. Where in-channel works are to be undertaken, we advise the applicant to undertake thorough biosecurity measures both pre- and post- works to ensure the spread of signal crayfish is limited. Where works are undertaken adjacent to watercourse, operators must abide by Environment Agency Pollution Prevention Guidelines.

Informative : Invasive Species

It is an offence to introduce or spread these into the wild. Additionally any measures to control or remove on site need to be in accordance with UK legislation. Biosecurity measures need to be in place for the duration of the works and strictly adhered to by all site operatives.

BACKGROUND

1. Planning permission for the *erection of a footbridge (for school use only) across the River Tees and the formation of grass playing pitches with associated access* was refused by Planning Committee on the 27 February 2018. (Application 17/2942/FUL).
2. An appeal was subsequently allowed on 18 September 2018 (ref. APP/H0738/W/18/3202662).
3. More recently, the applicant submitted an application to amend a number of the planning conditions (ref.17/2942/NMA) and this was approved 26 March 2021. Work has commenced on site and therefore the permission is extant.

SITE AND SURROUNDINGS

4. The site is located to the north of the River Tees in Yarm on land within a loop of the River. The site extends to 14.3 hectares in area and is bound to the north by the village of

Egglescliffe and by scrub and grazing land; to the south by the River Tees; to the east by arable farmland and beyond that the River Tees; and to the west by the River Tees and beyond that Yarm School and Yarm High Street.

5. The majority of the site is currently managed as arable farmland although it falls within the extent of the Tees Heritage Park. The Teesdale Way, a public right of way runs along the perimeter of the site adjacent to the River Tees. In addition, networks of informal tracks cross into Tees Heritage Park at a number of locations, including a vehicular track that runs south of Egglescliffe Village.
6. The northern part of the site (playing fields) is partially located within the Egglescliffe Conservation Area and the western end of the pedestrian bridge over the River Tees is within the Yarm Conservation Area.

PROPOSAL

7. The application seeks to vary planning permission 17/2942/FUL and amend the position and design of the bridge.
8. The principle and detail of the playing pitches has been established and given there are no changes proposed to this element of the previously approved scheme, it is considered that the creation of playing pitches is acceptable and cannot be considered further.
9. The proposed footbridge would cross the river approximately 6m south of the approved footbridge. The structure of the bridge would be closer to the school buildings and the design of the footbridge is also to be revised. The approved footbridge was proposed to be constructed from timber, however the proposed footbridge would be constructed from steel. The colour of the steel would begin as an orange-brown which would weather to a stable-dark brown. The surface of the bridge walkway would be a stiffened plate with resin bonded aggregate, which would be a quiet, slip and skid resistant walking surface.
10. The clear span bridge would be supported on either embankment by concrete piers. The design of the bridge would not require any structure to sit within the River Tees. Where works to existing vegetation is required, a landscaping scheme is proposed which would seek to protect the existing mature trees on site.

CONSULTATIONS

11. Consultations were notified and the most up to date comments received are set out below:-
12. Highways Transport & Design Manager
Highways Comments - There are no highways objections to the proposals to vary the various conditions.
Landscape & Visual Comments Updated information has been provided which addresses concerns regarding the impact on site trees. There are no landscape and visual objections to the proposed variations.
Flood Risk Management The Lead Local Flood Authority have no comment to make, as the proposed development is located entirely within Flood Zone 3 the Environment Agency will provide comment.
13. Environmental Health Unit
I have no comments to make.
14. Sport England

Thank you for consulting Sport England in respect of the application to vary the above planning conditions. I write to advise that in this instance Sport England has no comments to make

15. Canal & River Trust (summarised)

Compared to the previously approved application changes are sought to the bridge profile materials and clearance the removal of piers into the river and the repositioning of the bridge to the South. The main issues relevant to the trust as a statutory consultee are;

- the impact upon the navigational safety of the waterway and available clearance for vessels below and
- the impact of the proposed changes up on the character and appearance of the river corridor.

Based on the information available our advice is provided below

Navigational safety and clearance - the trust raised concerns with the approved application under 17/2942/FUL that the river piers on the approved bridge could result in a hazard to navigational safety as they would be vulnerable to collision from vessels. The proposed revisions have removed the piers from the latest bridge design which would address this concern. The amended bridge design would provide headroom of 6 metres relative to the water level of the river . We are satisfied that this will provide an acceptable degree of headroom for vessels travelling below. due to the height of the vessels utilising the navigation 6 metres is considered to be the minimum acceptable bridge height to allow for safe clearance.

Character and appearance of the waterway corridor - the river Tees forms part of Stockton's wider green infrastructure network. In line with the aims of adopted policy ENV6 there is a requirement for the development to protect and support the enhancement and management of the river corridor. We consider the revised external design of the bridge to be of an appropriate quality for the location the provision of the ramps away from the water's edge should also help reduce the bulk of the structure as viewed from the river corridor and allow for the provision of trees and soft landscaping.

Other comments - in our capacity as navigation authority of the tees we wish to advise you that any new crossing or works in proximity to the river would need to comply with the trust code of practice for works and we request that in the event of a positive determination an informative is appended to the decision notice to advise of this requirement.

16. The Environment Agency

We have no objection to the variation of condition application subject to the inclusion of the following planning condition on any planning permission.

Condition The development shall be carried out in accordance with the submitted flood risk assessment (ref Yarm School Footbridge Flood Risk Assessment Final Report December 2021, JBA Consulting) and the following mitigation measures it details:

The bridge soffit level shall be set no lower than 9.0 metres above Ordnance Datum (AOD) as highlighted within sections 4.1 and 5 of the FRA

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

Reasons To reduce the risk of flooding to the proposed development and future occupants.

Flood Risk Modelling -Note to LPA/Applicant: Flood risk modelling undertaken by a third party has been used in support of this application. The Environment Agency has applied a risk-based approach to the assessment of this model. As the model was reviewed in 2017 for the submission of planning application (LPA ref: 17/2942/FUL) and was approved for use, the changes proposed in this application (LPA ref: 22/0477/VARY) do not justify the need for a full detailed review. The Environment Agency has not undertaken a full

assessment of the fitness for purpose of the modelling and can accept no liability for any errors or inadequacies in the model.

Environmental permit - advice to applicant The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Variation of condition 12 (Method Statement)

We have no objection to the variation of the wording of Condition 12 to read 'The development shall be carried out in full accordance with the approved Invasive Weeds Management Methodology, prepared by TGP Landscape Architects, dated May 2020' Informative:

We have no comments to make on the variation of conditions 2, 4, 6, 7, 13, 18 and 25, as we did not originally request these conditions.

17. Tees Archaeology

Thank you for the consultation on this application. We have no objection to the proposed alterations, but would ask that the archaeological condition on 17/2942/FUL is maintained on any proposals.

18. The Ramblers Association

Egglescliffe footpath No. 1, which forms part of the Teesdale Way, follows the course of the River Tees on the east bank opposite Yarm. The Ramblers ask that safe access to the footpath is maintained at all times both during construction and the use of the playing field.

19. Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

20. Natural England

Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice. The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

PUBLICITY

21. Neighbours were notified and 14 letters of objection were received from the following addresses with the main objections summarised below. The full details of the objections can be viewed online at the following web address <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

- I. Phil Sors 41 Goose Pasture Yarm
- II. Mr Anthony Finn 7 Allerton View Yarm
- III. Mrs Amanda Marshall The Gables Urray Nook Road Eaglescliffe
- IV. Mr Ian Harbron 77 Mayfield Crescent Eaglescliffe
- V. Mr Dean Fitzmaurice 51 Goose Pasture Yarm
- VI. N G Beaumont 47 Goose Pasture Yarm
- VII. Mrs Janet Phillips 28 Atlas Wynd Yarm
- VIII. Tony Cross 35 Goose Pasture Yarm
- IX. Roy & Kirsty Sinclair 39 Goose Pasture Yarm
- X. Lucy Sors 41 Goose Pasture Yarm
- XI. Mr Robert Marshall 19 Chestnut Road Eaglescliffe
- XII. Ms Christine Franklin 21 Hird Road Yarm
- XIII. Mr Paul Waterson 4 West Mews Yarm
- XIV. Mr Charles Marshall 7 Chaldron Way Eaglescliffe

The Objections are summarised as detailed below

- The design of the bridge is not sympathetic to the surroundings or conservation area and is not in keeping with the rural surroundings of the heritage walk
- The visuals do not give a true reflection of the appearance
- Spoils the river view.
- Creates issues and limitations for river access to Yarm docking/wharf.
- The bridge will be 6m closer to the residents of Goose Pasture.
- The public footpath should in no way be moved or altered during construction of the highly opposed private footbridge or access hindered on completion.
- Impact on privacy for residents in Goosepastures
- Views from Goosepastures will be obscured
- Increased noise and disruption (including noise of the construction)
- Will the change allow vehicles to cross?
- It will lead to further development on the new playing field area.
- Unnecessary restriction of access to green areas
- This is to be able to sell off other school land to developers within an area already suffering from a stretched infrastructure
- Devaluation
- Over-development of Yarm and development of open space
- Impact on Wildlife.

One letter of support was received from the following resident with comments summarised below

- I. Mrs Linda Bashford 622 Yarm Road Eaglescliffe
 - The pros outweighs the cons. The school is a large part of the local community and brings so many positives to the area. A foot bridge for use of sports fields would reduce congestion/ traffic transporting children to their current site.
 - environmental impacts to the river and surrounding land would be minimal, after reading the expert reports.

One letter with general comments was received from the following resident with comments summarised below

- I. Mr Mark Ellis Kirklands Church Road
 - Disappointed to have it overturned on appeal.
 - Request that compliance to various reports will be enforced during the construction phase.

PLANNING POLICY

22. 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.
23. 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

24. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development 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

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

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

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

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

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

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

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

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

- a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
- c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
- d) Enhancing woodlands and supporting the increase of tree cover where appropriate.
- 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.
- k) Supporting proposals within the Tees Heritage Park which seek to increase access, promote the area as a leisure and recreation destination, improve the natural environment and landscape character, protect and enhance cultural and historic assets, and, promote understanding and community involvement.
- l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.

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

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

- g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.
- h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.
- 3. Conserve and enhance the historic environment through a variety of methods including:
 - a. Celebrating, promoting and enabling access, where appropriate, to the historic environment.
 - b. Ensuring monitoring of the historic environment is regularly undertaken.
 - c. Intervening to enhance the historic environment especially where heritage assets are identified as being at risk.
 - d. Supporting proposals which positively respond to and enhance heritage assets.
 - e. Recognising the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution.

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.

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.
2. Development on land in Flood Zones 2 or 3 will only be permitted following:
 - a. The successful completion of the Sequential and Exception Tests (where required); and
 - b. A site specific flood risk assessment, demonstrating development will be safe over the lifetime of the development, including access and egress, without increasing flood risk elsewhere and where possible reducing flood risk overall.
3. Site specific flood risk assessments will be required in accordance with national policy.

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

1. The Council will protect and enhance the biodiversity and geological resources within the Borough. Development proposals will be supported where they enhance nature conservation and management, preserve the character of the natural environment and maximise opportunities for biodiversity and geological conservation particularly in or

adjacent to Biodiversity Opportunity Areas in the River Tees Corridor, Teesmouth and Central Farmland Landscape Areas.

2. The Council will preserve, restore and re-create priority habitats alongside the protection and recovery of priority species.

3. Ecological networks and wildlife corridors will be protected, enhanced and extended. A principal aim will be to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats.

5. Development proposals should seek to achieve net gains in biodiversity wherever possible. It will be important for biodiversity and geodiversity to be considered at an early stage in the design process so that harm can be avoided and wherever possible enhancement achieved (this will be of particular importance in the redevelopment of previously developed land where areas of biodiversity should be retained and recreated alongside any remediation of any identified contamination). Detrimental impacts of development on biodiversity and geodiversity, whether individual or cumulative should be avoided. Where this is not possible, mitigation and lastly compensation, must be provided as appropriate. The Council will consider the potential for a strategic approach to biodiversity offsetting in conjunction with the Tees Valley Local Nature Partnership and in line with the above hierarchy.

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 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

1. Through partnership working, the Council will protect and support the enhancement, creation and management of all green infrastructure to improve its quality, value, multi-functionality and accessibility in accordance with the Stockton-on-Tees Green Infrastructure Strategy and Delivery Plan.

2. Where appropriate, development proposals will be required to make contributions towards green infrastructure having regard to standards and guidance provided within the Open Space, Recreation and Landscaping SPD or any successor. Green infrastructure should be integrated, where practicable, into new developments. This includes new hard and soft landscaping, and other types of green infrastructure. Proposals should illustrate how the proposed development will be satisfactorily integrated into the surrounding area in a manner appropriate to the surrounding townscape and landscape setting and enhances the wider green infrastructure network.

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.

4. Development within green wedges will only be supported where:

- a. it would not result in physical or visual coalescence of built-up areas;
- b. it would not adversely impact on local character or the separate identity of communities;
- c. it would not adversely impact on recreational opportunities; and
- d. it would not adversely impact on biodiversity.

5. Development proposals will be expected to demonstrate that they avoid the 'best and most versatile' agricultural land unless the benefits of the proposal outweigh the need to

protect such land for agricultural purposes. Where significant development of agricultural land is demonstrated to be necessary, proposals will be expected to demonstrate that they have sought to use areas of lower quality land in preference to that of a higher quality.

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).

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

1. In order to promote and enhance local distinctiveness, the Council will support proposals which positively respond to and enhance heritage assets.
2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment that describes the significance of the asset(s) affected, including any contribution made by their setting. Appropriate desk-based assessment and, where necessary, field evaluation will also be required where development on a site which includes or has the potential to include heritage assets with

archaeological interest. Applicants are required to detail how the proposal has been informed by assessments undertaken.

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

4. The loss of a heritage asset, in whole or part, will not be permitted unless the Council are satisfied that reasonable steps to ensure new development will proceed after loss has occurred.

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

6. The following are designated heritage assets:

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

d. Listed Buildings

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

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

MATERIAL PLANNING CONSIDERATIONS

26. Planning permission has already been approved for the provision of a footbridge and playing fields and this permission has been implemented. There are no changes proposed to the playing pitches element of the approved scheme and this cannot be considered any further. The main considerations in this application therefore relate to the bridge design and revised location.

27. As detailed in the report above, minor changes to that address conditions which have been discharged are marked with an asterisk.

Design and Location of the bridge

28. The original bridge was to be constructed of Ekki hardwood (the original material) is a tropical hardwood which grows on the west coast of Africa. It is often used in civil and marine projects. However the applicants state that the revised structure will use steel which originates in Middlesbrough and would be installed by a Yorkshire construction company. The applicants state that there are clear benefits associated with this change, including using a more sustainably sourced material and supporting local business which is acknowledged.

29. The design of the bridge will result in a structure which is more visible and comments are noted on the design of the bridge, however it is considered that with the use of high-quality weathering steel, of an orange-brown or stable-brown colour would provide a visually attractive feature in the landscape, which would respond positively to its setting which is a town on one side with both modern and historic buildings and a rural appearance on the Eaglescliffe side. The previous application talked about timber being a suitable material for the setting however, it is considered that weathered steel is also a material that is

acceptable for a semi-rural / historic setting, especially given the relatively small scale of a pedestrian footbridge. It is not considered that the design of the bridge would detract from the setting of the conservation area or have such a significant visual impact to warrant refusal of the application.

30. The new bridge has a clear span design will reduce the number of ramps on either riverbank, minimising the ecological disturbance on the riverbanks and the applicant states that the materials can be delivered and installed via the River Tees, which reduces the size of the crane necessary on the east bank and reduces the amount of traffic through Eggescliffe village.
31. The structure of the bridge no longer requires piers within the river, as these have been relocated to the east and west banks of the river. The proposed development would therefore have a lesser impact on the flow of the river in comparison to the approved scheme which required structural supports to be located within the river. This change is supported by the Canal and River Trust
32. Comments on the access for boats are noted but the bridge adheres to the heights that have been advised to ensure sufficient head room as well as adequate river depth for safe passage of the vessels.
33. The bridge would be positioned further away from residential properties along Atlas Wynd which is beneficial to those nearest the access, but this will move the bridge closer to those on Goose Pastures. Whilst comments on the impact on privacy to these residents are noted, the bridge is in excess of 240 metres away and it is not considered that the relocation would adversely affect these resident's privacy or amenity. It is however considered that the relocation will have a positive impact on the residents of Atlas Wynd by the increased separation distance.
34. Comments regarding vehicular access are noted, however the footbridge is 2.5 metres wide which would not be suitable for motor vehicles.
35. Concerns that there would be noise and disturbance, have been responded to by limiting the use of the bridge for access to playing pitches only, which will include organised community access to the pitches. As with the previous application, all access will be via the school premises and there will be no unrestricted public access to the bridge at any time. Use by community groups will be coordinated by the school.
36. Overall, it is considered that the character and appearance of the Conservation Areas will not be negatively affected, and the proposals would not detract from the setting of any listed buildings. It is considered that there will not be an adverse impact on heritage assets or impact on the character of the Tees Heritage Park.

Landscaping

37. An updated Arboricultural Impact Assessment accompanies the application and confirms that the mature trees which are considered to be high value trees, contributing positively to the visual amenity of the area and biodiversity would be retained. The proposed footbridge would require the removal of 5 trees which are of low and moderate value. Their loss would be compensated by a tree planting scheme. Pruning works are required to 3 trees to provide suitable clearance during the construction and tree protection measures are outlined, to ensure that all other trees are protected throughout the construction phase. These matters have been considered by the Councils Senior Urban Design who has no objections to the approved scheme, however, they have requested an amendment to

condition 4 to ensure the LPA attends site before works start to agree the tree protection measures.

Ecology

38. Comments with regards to ecology are noted and an updated Ecological Impact Assessment accompanies the application. The report identifies the likely impacts of the development and recommends a series of mitigation measures and enhancements. Adherence to the Ecology report has been conditioned as per the previously approved scheme.
39. The proposed footbridge is not anticipated to have a significant adverse effect on notable species and/or habitats. A number of informative have been recommended as per the previously approved scheme and it is not considered that there are any issues which justify the refusal of the application

Flood Risk and Drainage

40. An updated Flood Risk Assessment has undertaken to assess the impact of the proposed footbridge design. The report concludes that it is considered highly unlikely that that proposed footbridge will have any significant impact on flood risk. The form and location of the bridge will result in minimal loss of floodplain storage and little/no impact on flood flow routes.
41. This has been considered by the Environment Agency who raised no objections subject to an updated condition which has been recommended.

CONCLUSION

42. The proposed revisions have been considered against national and local planning guidance and the development as proposed is considered to be in line with general planning policies set out in the local plan and is recommended for approval with conditions.
43. It is recommended that the application be Approved with Conditions for the reason(s) specified above.

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

WARD AND WARD COUNCILLORS

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

IMPLICATIONS

Financial Implications: As report

Environmental Implications: As report

Human Rights Implications: The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

Stockton on Tees Local Plan

Application File and Appeal Decision