

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**18 October 2023**

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

**23/1201/FUL**

**Land To The East Of Cleasby Way, Eaglescliffe**

**Creation of approximately 101no cark parking spaces to include 6no disability/accessible spaces and 10no electrical vehicle charging points any associated ancillary works to include a barrier and palisade fencing and new CCTV columns and erection of cycle store and substation.**

**Expiry Date: 20 October 2023**

### **SUMMARY**

The application seeks planning permission for the creation of approximately 101no vehicle car-parking spaces to include the installation of 10no electric vehicle charging stations, 6no disability accessible spaces and associated ancillary works to include a barrier, 2-metre-high palisade fencing, CCTV columns, cycle store and substation.

This is a revised scheme from a previous permission at the site (Ref: 22/0664/FUL) which included an access road to the site from Cleasby Way which has been delivered as part of Phase 1 of the previous scheme; with the car park intended to be delivered as Phase 2 of the scheme. The main alterations from the previously approved scheme include changes to the layout of the car park and associated infrastructure in order to make the most efficient use of the available land whilst avoiding impacts on existing site features such as vegetation.

The creation of a large car park within the eastern portion of Durham Lane Industrial Park remains 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). In addition to this, the car park includes footpaths which would allow the public access from Eaglescliffe Railway Station to the Durham Lane Industrial Park.

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. To date, no 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 would 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.

### **RECOMMENDATION**

**That planning application 23/1201/FUL be approved subject to the following conditions and informative:**

**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);

<b>Plan Reference Number</b>	<b>Date Received</b>
285737-ARP-CP-XX-SK-ZX-0001	28 June 2023
285737-ARP-CP-XX-DR-CD-0500	28 June 2023
285737-ARP-CP-XX-DR-CH-0100	28 June 2023
285737-ARP-CP-XX-DR-YP-0001	28 June 2023
C993892	28 June 2023

Reason: To define the consent.

**03 Construction Management Plan**

Within each phase, no development 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:

- (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;
- (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 Management Plan shall be adhered to throughout the construction period.

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

**04 Soft Landscaping**

No development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority.

This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for tree pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans.

All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

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

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

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

#### **05 Soft Landscaping – Management and Maintenance**

No development shall commence until full details of proposed soft landscape management has been submitted to and approved in writing by the Local Planning Authority.

The soft landscape management plan shall include, long term design objectives, management responsibilities and maintenance schedules, replacement programme for all landscape areas including retained vegetation, (other than small privately owned domestic gardens), maintenance access routes to demonstrate operations can be undertaken from publicly accessible land, special measures relating to the time of year such as protected species and their habitat, management of trees within close proximity of private properties etc. This information shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

#### **06 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 28 June 2023 and shall be retained for the lifetime of the development.

Reason: In the interests of amenity.

#### **07 Surface Water Management Plan**

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

with the approved details, the scheme shall include but not be restricted to providing the following details;

- (i) Detailed design of the surface water management system;
- (ii) A build programme and timetable for the provision of the critical surface water drainage infrastructure.
- (iii) A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- (iv) A detailed maintenance and management plan.

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

## **08 Remediation Strategy and Verification Report**

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

- A Remediation Strategy: Based on the results of the site investigation and risk assessment as detailed within the submitted Geo-Environmental Interpretative Report submitted on 3 August 2023, an earthwork strategy and revised risk assessment and mitigations are required to set out the remediation strategy of the site. To certify that these measures have been put in place, a validation report must be submitted and approved by the Local Planning Authority on completion of the Remediation Strategy.
- A Verification Report: Details of the data shall be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Further site investigation is required to the southeast portion of the site including details of the placement of top and subsoil to landscaped areas.

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 an 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 present (NPPF, paragraph 121).

## **09 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.

**10 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.

**11 Bat Survey and Inspections**

Prior to the commencement 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 28 June 2023. 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 proposed 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.

**12 Boundary Treatment**

Prior to the commencement 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. The development shall be constructed in full accordance with those agreed details thereafter.

Reason: In the interests of visual amenity.

**13 CCTV Cameras**

Prior to the installation of any Closed-Circuit Television cameras Exact details of the location, height and means of affixation shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the works shall be implemented and maintained in accordance with the agreed details.

Reason: In the interests of the amenity of adjacent uses.

**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.

**Informative: Land Drainage Consent**

There is a legal requirement to obtain consent from the Lead Local Flood Authority (LLFA) if the applicant intends to carry out any works in, over, under, or within 10 metres of the watercourse,

whether permanent or temporary. No works on a watercourse can proceed until written consent has been granted by the LLFA. A land drainage consent is a standalone application that could take up to 8 weeks for determination.

### **BACKGROUND**

1. Planning permission was previously approved for a 100-space car park and a bus loop in July 2022 (ref; 22/0664/FUL).

### **SITE AND SURROUNDINGS**

2. The proposed car park is to be located to the west of the Eaglescliffe Railway Line, adjacent to the Durham Lane Industrial Park. To the east of the site is the live rail line, Eaglescliffe Railway Station and beyond that, residential properties.
3. 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.
4. 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 disposed of off-site in line with the Environment Agency's direction and the necessary waste legislation.

### **PROPOSAL**

5. Planning permission is sought for the creation of an approximate 101no space car park and associated paraphernalia within the Durham Lane Industrial Park.
6. The application proposes a revision to the layout to what had been previously approved at the application site and associated infrastructure as delineated on document reference: 285737-ARP-CP-XX-DR-CH-0100. A portion (Phase 1) of the development previously approved under application reference 22/0664/FUL has already been implemented at the site, which includes an access road from Cleasby Way to the proposed car park.

### **CONSULTATIONS**

7. The following consultation responses have been received as set out below (in summary):-
8. **Environmental Health** – No objections to the scheme.
9. **Environmental Health, Land Contamination** – All potential risks from contaminated land have been suitably assessed in accordance with the relevant guidance and is considered to pose a low risk to receptors.

A verification report is requested to confirm that the remaining work has been carried out which includes:

- A further site investigation to the southeast part of the site, to be carried out as pre-commencement works.
- Placement of top ad subsoil to landscaped areas.

An earthwork strategy and revised risk assessment and mitigations should be submitted and approved prior to the commencement of the works. To certify that these measures have been put in place, a validation report must be submitted to and approved in writing by the Local Authority on completion of remediation.

10. **Highways Transport & Design Manager** – no objections to the proposals but requests a number of conditions are attached to the consent.

Highways Comments

The site benefits from a previous approval, application reference 22/0664/FUL, for a 100-space car park and a bus loop for a replacement rail service if required.

The current proposals, as shown on drawing 285737-ARP-XX-XX-DR-CH-0100 Rev P5, would remove the bus loop, as the replacement rail service would continue to be provided from the existing car park, and provide a 101-space car park in the same location.

Taking account of the above there are no highways objections to the proposals.

Should the application be approved a construction traffic management plan should be secured by condition.

Landscape & Visual Comments

There are no landscape and visual objections to the proposals, but it is requested that two conditions be applied, to secure final details regarding soft landscaping and its future maintenance.

Flood Risk Management

The applicant has provided sufficient information to satisfy the Local Lead Flood Authority that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. However, the applicant has not provided a detailed design for the management of the surface water runoff from the proposed development and this information should be secured by condition.

Informative:

There is a legal requirement to obtain consent from the Lead Local Flood Authority (LLFA) if the applicant intends to carry out any works in, over, under, or within 10 metres of the watercourse, whether permanent or temporary. No works on a watercourse can proceed until written consent has been granted by the LLFA. A land drainage consent is a standalone application that could take up to 8 weeks for determination.

11. **Northern Gas** – No objections to the proposal, recommends an informative relating to any associated apparatus that may be in close proximity to the development.
12. **The Friends of Stockton and Darlington Railway** – Offer general support for the application.
13. **Tees Archaeology** – No objections to the proposed scheme.
14. **Sport England** – No objections to the proposed scheme.
15. **Durham County Badger Group** – No comments to make on the proposed scheme.

**PUBLICITY**

16. Publicity has been given to the planning application through a site notice and neighbour notification letters, no representations have been received.

**PLANNING POLICY**

17. 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.

18. 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**

19. 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.
20. 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 area<sup>44</sup>, 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 130.** Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

**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**

21. 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**

22. 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**

23. The application site relates to an area of land within Stockton-on-Tees Borough Council's ownership within the defined limits of Durham Lane Industrial Park and the proposed car park would serve as an additional car park to that of the existing located at Eaglescliffe Railway Station to the east of the site.
24. 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.*"
25. In conjunction with the enlarged footbridge serving Eaglescliffe Railway Station that was granted prior approval under application 22/0904/DLO, the car park would be situated to serve the needs of the associated infrastructure at the Railway Station. Although the proposed car park 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. Further to this, footpaths have been included on the submitted plans which would allow members of the public to move between the existing Railway Station, the Durham Lane Industrial Park and residential properties in the area.

26. Furthermore, the principle of the development has already been accepted at the site due to a previous approval of an application (Ref: 22/0664/FUL) for the creation of an approximate 100no space car park and access road.
27. It is considered that the proposed car park would provide a much-needed resource for Eaglescliffe Railway station and the wider Eaglescliffe community, and it is considered to comply with both national and local planning policy. The principle of development has previously been accepted and is again acceptable subject to further material considerations as considered below.

#### **Impact on the Character of the surrounding area**

28. 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.
29. 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 series of large structures and associated hardstanding. Due to the low-lying form of the proposed car park, it is not considered that the introduction of an area of hardstanding for purposes of vehicular parking would be of detriment to the wider character of the area.
30. The application site is bounded by an area of mature vegetation to the east and would offer a good degree of screening between the proposed development, 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 seen from vantage points to the east of the application site. Overall, there are no landscape or visual objections and it is considered that the car park can be satisfactorily accommodated on the site.
31. Whilst no details of the soft landscaping and its management/maintenance at the site have been provided in support of the application, it has been agreed by all parties involved that these details can be provided prior to the commencement of the development and conditions are recommended to secure these aspects.

#### **Impact on the amenities of the surrounding sites**

32. 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.
33. It is not considered that there are any sensitive receptors (such as residential properties) within the immediate area of the proposed car park. Given the use of the adjacent sites being predominantly industrial in nature, the proposed scheme is not considered to give rise to amenity issues for the neighbouring occupiers and is therefore considered to be acceptable.
34. Environmental Health have reviewed the submitted information to which they have offered no objections to the proposals and recommend no controlling conditions with respect to mitigating impacts on amenity.

### **Impact on Sports Facilities**

35. To the west of the site is Preston-on-Tees Cricket Club which is also in part used by Yarm Rugby Club. It has been highlighted by Sport England that the proposed development could be vulnerable to ball-strike but they have no objections to the proposals. In addition it is considered that there is a satisfactory degree of separation between the car park and cricket ground.
36. A soil mound would separate the proposed car park and Preston-on-Tees Cricket Club; this would be reprofiled and is considered to offer a degree of screening between the sites and would aid in protecting the cars within the car park 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**

37. The Lead Local Flood Authority (LLFA) have reviewed the submitted surface water runoff solutions and are satisfied that the scheme would not exacerbate the existing flood risk to the site or surrounding area. The LLFA has highlighted that further information is required with respect to a detailed design for the management of surface water runoff from the proposed development, therefore, a condition is recommended to control the final details of the management of the surface water runoff.
38. Northumbrian Water were consulted on the application, however, at the time of writing no written representations were received.

### **Land Contamination**

39. The application is supported by a Geo-Environmental Interpretative Report which forms the basis of an initial site investigation and desk top study of the application site's potential for contaminated land. The Council's Environmental Health Unit have reviewed the supporting information and are satisfied from a land contamination perspective that the initial site investigation and desk top study have suitably assessed the potential risks from contaminated land at the site.
40. Additional information with regards to the remediation strategy on site is still required which will include a verification report and earthwork strategy and this is recommended to be secured via a planning condition.

### **Highway Safety**

41. The Highways Transport and Design Manager has considered the proposed scheme and acknowledges that the site benefits from a previous planning consent for a similar proposal (22/0664/FUL). Therefore, the proposed scheme is not considered to give rise to highway safety implications over and above what has previously been approved at the site.
42. The previous bus loop has been omitted from the revised proposal but still include provision for pick up and drop off services allowing the public to travel sustainably to and from the proposed car park. Network Rail have also committed to retaining the provision bus services from the existing Railway Station car park located off Yarm Road. It is therefore considered that the scheme would continue to allow for sustainable travel for members of the public to and from the site and the loss of the bus loop is not considered to fundamentally affect the operations of the car park of wider railway station as a whole.
43. There are no objections to the proposed layout, however, a condition has 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**

44. A Preliminary Ecological Appraisal of the application site has been submitted in support of the application to identify any sensitive ecological receptors. The report identifies that the site has the potential for some ecological value, however, much of this value has been identified across the wider site and thus has little implications for the creation of the car park within the south-eastern corner of the site where the car park would be located.
45. Within the south-eastern corner of the site, the report finds that this area of the site has limited ecological value with few species present on site, except for the potential for a good bat foraging habitat and there are a number of trees supporting potential roost features.
46. In accordance with the recommendations found within the Preliminary Ecological Appraisal, it is recommended that a bat survey is submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development in order to establish whether any roosts are present and if so, what mitigation measure will be necessary. 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**

47. Tees Archaeology have provided comments on the application following the submission of an Archaeological Desk-Based Assessment. It has been indicated within the assessment that the site is of low archaeological potential and, as a result, Tees Archaeology have provided no objections to the proposed development. It is therefore recommended that no further archaeological works would be necessary within the proposed development site.

### **Nutrient Neutrality**

48. Natural England has confirmed based on the guidance currently written 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. Therefore, additional surface water runoff from the proposed car park is not covered by the guidance.
49. It is therefore considered that 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**

50. Overall, it is considered that the nature and scale of the development is acceptable in principle and would not adversely affect the character of the surrounding area, amenity or neighbouring occupiers or highway safety.
51. 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.
52. 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**

<b>WARD</b>	<b>Eaglescliffe</b>
<b>Ward Councillor</b>	<b>Councillor Laura Tunney</b>
<b>Ward Councillor</b>	<b>Councillor Diane Clarke</b>



## **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