



Environment

Introduction

2.1 The importance of the environment cannot be overstated. The Borough contains a variety of landscapes and habitats, natural and man made, urban and rural. Many are particularly valuable because of their wildlife or physical interest or for their contribution to amenity generally. The Borough Council wishes to ensure that the effects of development on special landscapes and habitats are fully considered. The Plan will therefore deal first with measures designed to protect and enhance the value and amenity of natural and man-made environments.

2.2 Generally, the countryside should be protected against the encroachment of built-up areas. Although agriculture will remain the principal land use of the countryside, the Council will encourage the diversification of the rural economy through sympathetic consideration of development which provides employment in rural areas. Appropriate development at the edge of the urban area could improve its appearance, increase opportunities for sport and recreation, and limit trespass and vandalism.

2.3 In towns and villages, the protection of the built heritage and open spaces is essential to maintain character and amenity. The concentration of development within the built-up area will help to contain pressure on the countryside, and encourage the reclamation of derelict or underused land and redundant buildings.

2.4 The profusion of chemicals-based industries in the Borough means that pollution and hazard are a major concern in the Borough. The Council has worked for many years to reduce the level of potential harmful

emissions and of risk. It will continue this work in liaison with agencies such as the Northumbrian Water, English Nature, the Environment Agency and the Health and Safety Executive. This will ensure that members of the public and the environment in general are protected as far as possible from pollution and hazard.

2.5 A common element in urban, rural, industrial and residential landscapes is the River Tees. Particular attention is being devoted to cleaning the river, reclaiming dereliction along its banks, and re-establishing its important position as an amenity and recreational feature.

Policy Context

2.6 The Cleveland Structure Plan aims to improve the environment in towns and countryside, and to protect the county's heritage. Within the overall strategy of compact urban growth, the Structure Plan places great emphasis on improving the image of the county. This will make it more attractive to investors and residents alike, and thereby generate employment. Accordingly, it indicates the need to protect the county's built heritage and high quality landscapes, whilst tackling dereliction, neglect and pollution which damage the area's image.

Environmental Objectives

2.7 In accordance with the strategy of the Local Plan, the following objectives are relevant to the formation of policies and proposals for the maintenance and improvement of environmental quality:

OBJECTIVES

- to protect special habitats
- to protect landscape quality and the countryside
- to promote the creation of new habitats and landscapes
- to control the expansion of built up areas
- to promote the recycling of land and reuse of buildings
- to protect the built heritage and the urban environment
- to protect the public and the environment from pollution and

OBJECTIVE 1

To protect special habitats.

Background

2.8 The identification and protection of the Borough's most valuable habitats is the key to maintaining the Borough's wildlife resource both for its own sake and for the enjoyment of present and future generations. Protection is given to sites which are recognised internationally, nationally and locally, and the links between these sites are recognised. Sites are also identified where habitat protection may be combined with public enjoyment and interpretation of the wildlife that those sites support.

Sites of Special Scientific Interest

2.9 There are currently two designated Sites of Special Interest (SSSIs) within the Borough, one at Seal Sands and the other at Cowpen Marsh. Both form part of the wider expanse of wetland and mudflat habitat of Teesmouth, which is an internationally important breeding and feeding ground for migratory wildfowl, wading birds and shore birds. To protect these sensitive habitats from any damaging disturbance, potential developers of land within or immediately adjacent to an SSSI should consult the Council and English Nature at the earliest opportunity.

2.10 The key importance of SSSIs means that development proposals in or likely to affect them must be subject to special scrutiny and, where planning permission is granted for a development where there is a risk of damage to an SSSI, the Council will consider the use of planning conditions or obligations in the interests of nature conservation.

Teesmouth National Nature Reserve

2.11 The Teesmouth National Nature Reserve was declared by English Nature in March 1995. The Reserve lies partly within the Borough, the remainder being within Hartlepool Borough. It includes the whole of the area covered by Seal Sands SSSI. Development proposals within the Reserve are, therefore, covered by Policy EN 1 (a) (on SSSIs) of the Local Plan.

EN I(a)

~~PROPOSALS FOR DEVELOPMENT IN OR LIKELY TO AFFECT SITES OF SPECIAL SCIENTIFIC INTEREST WILL BE SUBJECT TO SPECIAL SCRUTINY WHERE SUCH DEVELOPMENT MAY HAVE A SIGNIFICANT ADVERSE EFFECT DIRECTLY OR INDIRECTLY ON THE SSSI, IT WILL NOT BE PERMITTED UNLESS THE REASONS FOR THE DEVELOPMENT CLEARLY OUTWEIGH THE VALUE OF THE SITE ITSELF AND NATIONAL POLICY TO SAFEGUARD THE INTRINSIC NATURE CONSERVATION VALUE OF THE NATIONAL NETWORK OF SUCH SITES. WHERE DEVELOPMENT IS PERMITTED, THE COUNCIL WILL CONSIDER THE USE OF PLANNING OBLIGATIONS TO ENSURE THE PROTECTION AND ENHANCEMENT OF THE SITE'S NATURE CONSERVATION INTEREST.~~

Teesmouth and Cleveland Coast Special Protection Area and Ramsar Site

2.12 Cowpen Marsh SSSI and the majority of Seal Sands SSSI are recognised as wetlands of international importance for nature conservation. They are included as part of the Teesmouth and Cleveland Coast Special Protection Area (SPA), classified under the EC Directive on the Conservation of Wild Birds. The land has the further international designation as a Ramsar site, listed under the Convention of Wetlands of International Importance. Both designations reflect the importance of the site for waterfowl which feed and roost in internationally important numbers.

2.13 These designations aim to protect the habitats of threatened species of wildlife and, in line with Government guidance, Policy EN I (b) sets out the Council's approach for considering development proposals which may effect the SPA/Ramsar site. If planning permission is granted for a development which would adversely affect the integrity of the SPA/Ramsar site, necessary compensatory measures must be taken to ensure the overall coherence of the European Community-wide network of Special Protection Areas, known as "Natura 2000".

EN (I b)

~~PROPOSALS FOR THE DEVELOPMENT OR LAND USE WHICH MAY AFFECT A EUROPEAN SITE, A PROPOSED EUROPEAN SITE OR A RAMSAR SITE WILL BE SUBJECT TO THE MOST RIGOROUS EXAMINATION. ANY PROPOSAL WHICH IS NOT DIRECTLY CONNECTED WITH, OR NECESSARY FOR, THE MANAGEMENT OF THE SITE FOR NATURE CONSERVATION AND WHICH IS LIKELY TO HAVE A SIGNIFICANT ADVERSE EFFECT ON THE INTEGRITY OF THE SITE WILL ONLY BE PERMITTED IF:-~~

- ~~(i.) THERE IS NO ALTERNATIVE AVAILABLE SITE OR PRACTICABLE APPROACH FOR THE PROPOSAL; AND EITHER,~~
- ~~(ii.) FOR SITES WHICH HOST PRIORITY HABITAT TYPES AND/OR SPECIES, THERE ARE OVERRIDING HUMAN HEALTH AND SAFETY CONSIDERATIONS OR BENEFITS OR PRIMARY IMPORTANCE TO THE ENVIRONMENT; OR~~

~~(iii.) FOR SITES WHICH DO NOT HOST PRIORITY HABITAT TYPES OR SPECIES, THERE ARE IMPERATIVE REASONS OF OVERRIDING PUBLIC INTEREST FOR THE PROPOSAL.~~

~~WHERE DEVELOPMENT IS PERMITTED, THE COUNCIL WILL CONSIDER THE USE OF PLANNING CONDITIONS OR PLANNING OBLIGATIONS TO SECURE COMPENSATORY MEASURES NECESSARY TO RETAIN THE OVERALL COHERENCE OF NATURA 2000.~~

Local Nature Reserves

2. 14 Local authorities, in consultation with English Nature, have the power to declare Local Nature Reserves (LNRs) where wildlife habitats warrant protection from development, and where sensitive management can allow the public to observe, learn about and enjoy the site's valuable natural resource.

2.15 The Council will continue to protect existing LNRs within the Borough from inappropriate development. The Council also intends to declare a further three LNRs in the near future. In the longer term it will consider declaring as LNRs other sites with significant nature conservation interest and good access from residential areas. Consultation with the owners, occupiers or other interested parties of the proposed LNR's will be undertaken as part of the declaration process.

EN-2

~~DEVELOPMENT IN THE LOCAL NATURE RESERVES LISTED BELOW, AND IN ANY SUBSEQUENTLY DECLARED, WILL NOT BE PERMITTED IF IT WOULD BE HARMFUL TO THE ELEMENTS GIVING RISE TO THEIR DESIGNATION:~~

- ~~(a.) BASSLETON WOODS AND THE HOLMES, THORNABY;~~
- ~~(b.) BILLINGHAM BECK VALLEY;~~
- ~~(c.) THORPE WOOD, GRINDON~~

Charlton's Pond

2.16 Charlton's Pond Nature Reserve in Billingham is designated as a bird sanctuary under the 1954 Protection of Birds Act. It is a locally important site for both resident and migrant birds and as an area for informal recreation.

EN-3

~~THE FOLLOWING SITES WILL BE DECLARED LOCAL NATURE RESERVES:-~~

- ~~(a.) BOWESFIELD POND, STOCKTON;~~
- ~~(b.) CHARLTON'S POND, BILLINGHAM;~~
- ~~(c.) QUARRY WOOD, EAGLESCLIFFE.~~

~~UPON DECLARATION, THESE LOCAL NATURE RESERVES WILL BE SUBJECT TO POLICY EN 2.~~

Sites of Nature Conservation Importance

2.17 Although they do not have statutory protection, Sites of Nature Conservation Importance (SNCIs) are of local importance for their wildlife, habitat or physical features. A survey of these sites within the Borough has recently been completed by the Cleveland Wildlife Trust. Any proposals for development affecting SNCIs should pay particular attention to the management of the site's ecological features and, where possible, their enhancement for public enjoyment.

EN4

DEVELOPMENT WHICH IS LIKELY TO HAVE AN ADVERSE EFFECT UPON SITES OF NATURE CONSERVATION IMPORTANCE WILL ONLY BE PERMITTED IF:-

- (i.) THERE IS NO ALTERNATIVE AVAILABLE SITE OR PRACTICABLE APPROACH; AND**
- (ii.) ANY IMPACT ON THE SITE'S NATURE CONSERVATION VALUE IS KEPT TO A MINIMUM.**

WHERE DEVELOPMENT IS PERMITTED THE COUNCIL WILL CONSIDER THE USE OF CONDITIONS AND/OR PLANNING OBLIGATIONS TO PROVIDE APPROPRIATE COMPENSATORY MEASURES.

Land Adjoining North Tees Works

2.18 The Local Plan allocates land adjoining North Tees Works for special and hazardous industry. This land includes two Sites of Nature Conservation

Interest, namely Dorman's Pools and Reclamation Pond. Both sites support regionally, and on occasion, nationally important numbers of birds. Their designation is reflected in the Local Plan in order to indicate to potential developers that the nature conservation interests of the land must be considered when development proposals are put forward.

2.19 A Memorandum of Agreement has been drawn up between ICI (Chemicals and Polymers Ltd), English Nature, Cleveland Wildlife Trust, Royal Society for the Protection of Birds, Teesside Development Corporation and Stockton Borough Council. This Agreement seeks to resolve any potential conflicts that may arise between the two land uses at North Tees. The situation at North Tees Works illustrates that with careful planning and control, nature conservation and development can be compatible.

2.20 The Borough benefits from the presence on Teesside of the Industry and Nature Conservation Association (INCA), an organisation supported by several industrial operations and local authorities, which offers advice on the promotion and implementation of schemes which enhance nature conservation mainly on industrial sites.

2.21 The Council will give consideration to the need for an Environmental Assessment where a project covered by Schedule 2 under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 is likely to have significant effects on the special character of an SSSI. Any views expressed by English Nature will be taken into account. An Environmental Assessment will normally be required where a Ramsar or European site could be affected.

2.22 Policy EN 4 and EN 5 are mutually exclusive and thus Policy EN 4 does not apply to the area shown on the Proposals Map under EN 5.

EN-5

~~DEVELOPMENT ON LAND ADJOINING THE NORTH TEES WORKS UNDER POLICIES IN 5 AND IN 6 THAT IS LIKELY TO HAVE AN ADVERSE EFFECT UPON THE SITES OF NATURE CONSERVATION IMPORTANCE WILL ONLY BE PERMITTED IF APPROPRIATE COMPENSATORY MEASURES ARE PROVIDED.~~

~~THE COUNCIL WILL REQUIRE BY WAY OF CONDITIONS AND/OR PLANNING OBLIGATIONS THAT SUCH MEASURES ARE PUT INTO PLACE.~~

Protected Species

2.23 Certain plant and animal species, such as the great crested newt, barn owl and badger, are protected under national and international legislation. The presence of a protected species is a material consideration where the Council is considering a development proposal which, if carried out, would be likely to result in harm to the species or its habitat.

2.24 The Council will, therefore, seek to safeguard such species and their habitats by ensuring that if consent for a proposal deemed harmful to the species is given, they will consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the protection of the species.

EN-6

~~DEVELOPMENT PROPOSALS LIKELY TO RESULT IN HARM TO A PROTECTED PLANT OR ANIMAL SPECIES OR ITS HABITAT WILL NOT BE PERMITTED UNLESS SATISFACTORY PROVISIONS FOR THESE SPECIES HAVE BEEN MADE.~~

OBJECTIVE 2

To protect landscape quality and the countryside.

Background

2.25 The rural part of the Borough contains landscapes whose quality and rarity in the local context make them worthy of protection. These are enjoyed by residents and visitors alike and help to project an attractive image of the Borough to potential investors.

2.26 Special Landscape Areas, Ancient Woodlands and a Park of Special Historic Interest will be protected from development likely to damage their landscape quality. The countryside in general will also be protected from development which may detract from its appearance or hinder the exploitation of the best and most versatile agricultural land.

Special Landscape Areas

2.27 There are three areas of the Borough where the use, form and features of land combine to produce a landscape of particular quality and attractiveness. These are designated Special Landscape Areas which means that development proposals should not detract from the character of the area. Agriculture and farm diversification are among the types of development which may be appropriate in Special Landscape Areas. Farm diversification is defined as non-agricultural enterprises generating additional employment on farms, compatible with continuing farming activity. Other appropriate development in Special Landscape Areas include that related to forestry, tourism, sport and recreation.

EN 7

DEVELOPMENT WHICH HARMS THE LANDSCAPE VALUE OF THE FOLLOWING SPECIAL LANDSCAPE AREA WILL NOT BE PERMITTED:-

- (a.) LEVEN VALLEY
- (b.) TEES VALLEY
- (c.) WYNYARD PARK

2.28 Parts of Wynyard Park Special Landscape Area have already been allocated for residential development in Policy HO 1 and for prestige industry in Policy IN 4. Permissions granted for development at these locations will be subject to conditions in order to protect the landscape quality of the area and to include substantial landscaping as part of the schemes.

Ancient Woodlands

2.29 The Borough also contains a number of ancient woodlands. These are semi-natural woods which have been features of the landscape since 1600 A.D. They are irreplaceable assets of importance for their contribution to the landscape, their historic form, and their nature conservation value. The Council will therefore protect all remaining ancient woodland and support its positive management.

EN 8

DEVELOPMENT WITHIN ANCIENT WOODLAND WHICH DETRACTS FROM ITS CONSERVATION VALUE WILL NOT BE PERMITTED.

Wynyard Park

2.30 Wynyard Park is the only nationally recognised park in the Borough of special historic interest. The historic layout of the landscaped parkland and formal gardens, including their architectural features, will be protected from inappropriate development.

EN 9

DEVELOPMENT WHICH IS LIKELY TO BE DETRIMENTAL TO THE SPECIAL HISTORIC INTEREST OF WYNYARD PARK WILL NOT BE PERMITTED.

Agricultural land and Buildings

2.31 In addition to protecting special landscapes, the Council wishes to ensure that there is no decline in the general appearance of the countryside. The importance of agriculture in maintaining the visual appearance of the countryside is recognised, as is the need for new buildings associated with farming or forestry.

2.32 The best and most versatile agricultural land should be protected from development. The loss of land to development may affect the future viability of a farm unit and this may also be a relevant factor in the assessment of development proposals. The viability of farms is also affected by problems of trespass onto agricultural land, particularly adjacent to the urban area. In order to reduce these problems the Council will encourage the provision of a landscaped buffer between new development and agricultural land and will ensure the provision of sufficient open space within new housing development. Controls over development are limited to those necessary to prevent intrusive features in the landscape and the expansion of the urban area. Guidance on the types of uses that may be acceptable in the countryside is given in Policy EN 13.

2.33 The conversion, adaptation and reuse of rural buildings is addressed in Policies EN 20 and EN 21.

~~EN 10~~

~~GRADES 1,2 AND 3A AGRICULTURAL LAND WILL BE PROTECTED FROM IRREVERSIBLE LOSS THROUGH DEVELOPMENT~~

OBJECTIVE 3

To promote the creation of new habitats and landscapes.

Background

2.34 Preceding sections are devoted to habitats and landscapes particularly worthy of protection. Much of the borough is unexceptional in environmental and visual terms, and could benefit from enhancement and improvement. Two major initiatives should bring environmental improvements through landscape change and habitat creation. These are the Cleveland Community Forest and the proposed International Nature Reserve. The Council supports both initiatives, together with small scale environmental improvement schemes within the urban area associated with derelict land reclamation, City Challenge and Estate Action schemes.

Cleveland Community Forest

2.35 The aim of the Cleveland Community Forest is to establish across much of the Borough's rural area, a mosaic of woodland, farmland and open spaces which will substantially improve the landscape. The Cleveland Community Forest Plan sets out the vision, strategy and implementation programme to achieve this. The forest plan sub-divides the rural area into different management zones and sets out appropriate targets for tree planting expressed as a percentage tree cover for different areas.

2.36 The Council supports and promotes the Cleveland Community Forest initiative, in partnership with the Forestry Authority and Countryside Commission. It seeks to encourage the wider community to participate in implementing afforestation and environmental management of land. It is also appropriate to allow or encourage public access to particular parts of the countryside and the Council will seek to accomplish this in suitable cases. In particular it seeks to (j) encourage landowners and developers to consider how they may be able to contribute towards achieving larger scale tree planting in countryside areas.

2.37 Built development in the countryside is strictly controlled, and it will be similarly controlled in the Community Forest. However, woodland planting for timber production, amenity or nature conservation (or combination thereof) may bring other benefits. New opportunities for diversification of the rural economy may occur which could lead to the re-use or adaptation of rural buildings. If new buildings are clearly necessary to support countryside uses their impact on the countryside may be significantly reduced by tree planting. On the fringes it may be that in the longer term beyond the Local Plan time period some built development may come to be necessary. Tree planting in the short term will considerably enhance the attractiveness of the site at the time that urban development may come to be necessary and may positively assist development options. Advice on tree planting is available from the Community Forest Team.

EN-11

~~THE PLANTING OF TREES, OF LOCALLY APPROPRIATE SPECIES, WILL BE ENCOURAGED WITHIN THE AREA INDICATED ON THE PROPOSALS MAP AS COMMUNITY FOREST. IN CONSIDERING APPLICATIONS FOR PLANNING PERMISSION IN THE COMMUNITY FOREST AREA, THE LOCAL PLANNING AUTHORITY WILL GIVE WEIGHT TO THE DEGREE TO WHICH THE APPLICANT HAS DEMONSTRATED THAT FULL ACCOUNT HAS BEEN TAKEN OF EXISTING TREES ON SITE, TOGETHER WITH AN APPRAISAL OF THE POSSIBILITIES OF CREATING NEW WOODLAND OR UNDERTAKING ADDITIONAL TREE PLANTING. IN THE LIGHT OF THE APPRAISAL THE LOCAL PLANNING AUTHORITY WILL REQUIRE A LANDSCAPING SCHEME TO BE AGREED WHICH MAKES A CONTRIBUTION TO THE COMMUNITY FOREST.~~

The International Nature Reserve

2.38 Teesside Development Corporation proposes to create an International Nature Reserve on over 800 ha. of land to the north of the Tees, between Cowpen Bewley and the Clarences, and the industrial complex at Seal Sands. The scheme aims to create a mix of wetland and terrestrial habitats to complement existing sites of nature conservation value. Facilities for education, wildlife interpretation and recreation will be provided where this is not in conflict with the scheme's nature conservation objectives or the needs of the industrial operations on the site.

EN 12

~~LAND TO THE EAST OF COWPEN BEWLEY ROAD AND TO THE WEST OF SEAL SANDS IS IDENTIFIED FOR AN INTERNATIONAL NATURE RESERVE. DEVELOPMENT WILL ONLY BE PERMITTED IF IT IS REQUIRED IN CONNECTION WITH EXISTING INDUSTRY, FOR THE MANAGEMENT OF WILDLIFE, INCLUDING NEW HABITATS, FOR MARSHLAND GRAZING OR IF IT FACILITATES PUBLIC ACCESS FOR THE ENJOYMENT AND INTERPRETATION OF THE ENVIRONMENT AND NATURE. THAT PART OF THE INTERNATIONAL NATURE RESERVE DESIGNATED AS SSSI WILL BE SUBJECT TO POLICY EN 1a AND EN 1b.~~

Other Initiatives

2.39 Habitat and landscape restoration is also an integral part of many smaller scale schemes across the Borough. At the former Cowpen Tip, for example, works to convert the spoiled landscape to a wildlife based recreation park have been undertaken, including some tree planting (see Policy REC 5). Within the urban areas, derelict and underused land is being reclaimed to provide parks, eg the Great North Park, Tilery Park and Primrose Hill Park. New recreational and amenity spaces are proposed under the City Challenge programme and the Teesside Development Corporation is creating open areas along the River Tees.

OBJECTIVE 4

To control the expansion of built up areas.

Background

2.40 The Council wishes to control the expansion of built up areas both to protect the countryside for its own sake, and to encourage the recycling of derelict and underused sites within the urban area. This reflects the compact urban growth strategy adopted by the Cleveland Structure Plan and assists sustainability.

Limits to Development

2.41 Limits to development have been identified around the main urban core and the villages. Where possible, limits have been drawn where there is a clear break between urban and rural uses and landscapes. In the countryside beyond these limits, development will be strictly controlled. It will be confined to activities necessary for the continuation of farming or forestry, contribute to rural diversification, or cater for tourism, sport or recreation. Proposals for land outside the limits to development but within the area identified for the Community Forest is subject to the criteria identified under Policy EN II above.

EN 13

DEVELOPMENT OUTSIDE THE LIMITS TO DEVELOPMENT MAY BE PERMITTED WHERE:

- (i.) IT IS NECESSARY FOR A FARMING OR FORESTRY OPERATION; OR
- (ii.) IT FALLS WITHIN POLICIES EN 20 (REUSE OF BUILDINGS) OR TOUR 4 (HOTEL CONVERSIONS); OR

IN ALL THE REMAINING CASES AND PROVIDED THAT IT DOES NOT HARM THE CHARACTER OR APPEARANCE OF THE COUNTRYSIDE; WHERE:

- (iii) IT CONTRIBUTES TO THE DIVERSIFICATION OF THE RURAL ECONOMY; OR
- (iv.) IT IS FOR SPORT OR RECREATION; OR
- (v.) IT IS A SMALL-SCALE FACILITY FOR TOURISM.

Green Wedges

2.42 Within the limits to development, six green wedges have been identified. These open spaces maintain the separation of communities within the built-up area, and improve its appearance. They contain wildlife habitats and could accommodate outdoor sport and recreation uses. Certain green wedges, such as the Tees Valley, are also important for the views they provide of the countryside beyond the urban area.

2.43 The uses considered appropriate within green wedges are those that ensure their open aspect is retained and require only limited built development, e.g sport and recreation, stables, farming and market gardening.

EN 14

~~WITHIN THE FOLLOWING GREEN WEDGES, DEVELOPMENT WILL NOT BE PERMITTED WHICH DETRACTS FROM THE OPEN NATURE OF THE LANDSCAPE SO AS TO THREATEN, BY ITSELF OR CUMULATIVELY; THE LOCAL IDENTITY OF THE AREAS SEPARATED BY THE GREEN WEDGE.~~

- ~~(a.) RIVER TEES FLOODPLAIN FROM SURTEES BRIDGE, STOCKTON, TO YARM;~~
- ~~(b.) LEVEN VALLEY BETWEEN YARM AND INGLEBY BARWICK;~~
- ~~(c.) BASSLETON BECK VALLEY BETWEEN INGLEBY BARWICK AND THORNABY;~~
- ~~(d.) STAINSBY BECK VALLEY, THORNABY;~~
- ~~(e.) BILLINGHAM BECK VALLEY;~~
- ~~(f.) BETWEEN NORTH BILLINGHAM AND COWPEN LANE INDUSTRIAL ESTATE.~~

Urban Open Space

2.44 An important contribution to amenity within settlements is made by open spaces represented by river and beck valleys, school playing fields and sports grounds, spaces in housing areas and squares, and precincts in town centres. The larger areas of urban open space are shown on the Proposals Map. Such spaces should generally be protected from development unless this would achieve a genuine enhancement of the site to the benefit of residents of the Borough. Over time the aim will be to improve the effectiveness of such areas by appropriate landscaping, planting and wider access to the public. Paragraphs 4.60 - 4.63 expand on the importance of these areas for recreation, while concern over the loss of playing fields is discussed at 4.55 -4.56.

2.45 The open spaces within built-up areas also form an important network of greenspaces, and are supplemented by disused railway lines, road and rail routes, allotments and cemeteries. These provide corridors along which wildlife can move from the countryside into the urban areas.

2.46 Many areas of open space contain trees which have an important role in creating the attractive character of an area. The felling of trees or works which reduce their value to general amenity will be resisted. Where appropriate, trees worthy of protection will be made the subject of a Tree Preservation Order. The Council will carry out a survey of trees within the urban parts of the Borough to identify and protect those which contribute to the amenity of the area.

EN-15

~~DEVELOPMENT WILL NOT BE PERMITTED ON URBAN OPEN SPACE UNLESS:~~

- ~~(i.) IT WOULD ENHANCE THE SPORTING, RECREATIONAL, OR NATURE CONSERVATION VALUE OF THE LAND AND THE SPACE WOULD STILL RETAIN ITS OPEN CHARACTER; OR~~**
- ~~(ii.) THE DEVELOPMENT OF A SMALL AREA OF OPEN SPACE WOULD RESULT IN THE ENHANCEMENT OF THE REMAINDER TO THE OVERALL BENEFIT OF THE LOCAL COMMUNITY.~~**

OBJECTIVE 5

To promote the recycling of land and reuse of buildings.

Background

2.47 The recycling of land and reuse of buildings can make an important contribution to improving the image of the Borough, and to the supply of development land. In addition, the reuse of land and buildings will relieve pressure on greenfield sites in both urban and rural areas.

Recycling land

2.48 The reclamation and reuse of derelict and underused land helps to ensure that land is used fully and effectively within the built up area, and that pressure for development is diverted away from greenfield sites.

2.49 In March 1993, 3.3% of the Borough's land area was classed as derelict, the majority being located in the Tees corridor. The rationalisation and closure of plants elsewhere has also led to dereliction, e.g. part of ICI's works at Billingham, and Sarek joinery, Norton Road, Stockton.

2.50 In addition to the Council, which has been involved for a considerable time in improving and reclaiming derelict land, the main agency tackling dereliction in the Borough is the Teesside Development Corporation. Since its inception in 1987, large swathes of derelict land along the Tees corridor, particularly at North Thornaby, have been reclaimed and developed, eg Teesdale, Teesside Park and Preston Farm Industrial Estate. The Corporation plans to continue its programme of reclamation until 1998, beyond which its future is uncertain.

2.51 In order to assist the Corporation in achieving its objectives of land reclamation and regeneration, certain areas are allocated as suitable for a range of uses, including industry, commerce, retailing, residential, recreation/leisure and education. By accepting that one or more or a mix of these uses would be appropriate in a given area without harm to the character of the surroundings or to the development prospects of neighbouring users, the Development Corporation will have considerable scope for negotiating viable alternatives in the course of promoting its potential. Other than the commitment to the Galleria shopping development at Teesdale, retailing is not considered an appropriate use.

2.52 One area presenting significant amenity problems is that between Norton Road and the re-aligned railway line east of the Durham Road Bypass. The land includes derelict railway land and redundant parts of the Sarek joinery site. It is considered that a range of uses would be appropriate in this location including industry, commerce, residential, sport and recreation.

EN 16

LAND TO THE WEST OF NORTON ROAD AND NORTH OF THE DURHAM ROAD BYPASS IS ALLOCATED FOR A RANGE OF USES INCLUDING INDUSTRY, COMMERCE, HOUSING, SPORT AND RECREATION, BUT EXCLUDING RETAIL.

EN 17

WITHIN THE URBAN DEVELOPMENT AREA, LAND IS ALLOCATED AT THE FOLLOWING SITES AS APPROPRIATE FOR A RANGE OF USES, INCLUDING INDUSTRY; COMMERCE, HOUSING, SPORT; RECREATION, TOURISM AND EDUCATION:

- (a.) **CLEVELAND INDUSTRIAL ESTATE;**
- (b.) **TEESDALE, THORNABY;**
- (c.) **BOATHOUSE LANE, STOCKTON;**
- (d.) **THORNABY PLACE, THORNABY;**
- (e.) **YARM ROAD (EAST & WEST), STOCKTON;**
- (f.) **TEESSIDE RETAIL PARK.**

OTHER THAN THE COMMITMENT TO RETAIL DEVELOPMENT AT TEESDALE, RETAIL IS NOT APPROPRIATE AT THESE SITES.

2.53 The Council is also committed to reclaiming derelict land. Priority is given to reclamation which brings employment to the inner urban area, and improves the quality of life of residents. Schemes which improve the environment are also important for their potential to improve the image of the Borough, particularly those in prominent locations, e.g. along major transport routes. Most derelict sites have been allocated for development under policies elsewhere in the Plan. Where no specific use is allocated, redevelopment will be encouraged provided that it does not have a detrimental effect on the character of the area or on the amenity of neighbouring uses, and provided that satisfactory access and parking can be achieved.

EN18

~~SCHEMES INVOLVING THE RECLAMATION AND REDEVELOPMENT OF DERELICT LAND WITHIN THE URBAN AREA WILL BE PERMITTED PROVIDED THAT:~~

- ~~(i.) THEY DO NOT ADVERSELY AFFECT THE CHARACTER OF THE AREA OR THE AMENITY OF ADJACENT OR NEIGHBOURING USES; AND~~
- ~~(ii.) THERE ARE SATISFACTORY ACCESS AND PARKING ARRANGEMENTS.~~
- ~~(iii.) THE EXISTING NATURE CONSERVATION INTEREST OF THE SITE IS ACCOMMODATED WHENEVER POSSIBLE.~~

2.54 Dereliction may also arise in the countryside and, as with urban areas, the Council is anxious to see the restoration of such areas for suitable purposes. The uses appropriate in the countryside are identified in Policy EN 13 above, and any derelict sites within the Community Forest area may be eligible for grants for tree planting and ancillary facilities under the scheme (see paragraphs 2.35 -2.37 above).

EN-19

~~THE RECLAMATION AND USE OF DERELICT LAND IN THE COUNTRYSIDE WILL BE PERMITTED PROVIDED THAT SUBSEQUENT USES AND ACTMTIES:~~

- ~~(i.) CONTRIBUTE TO FARMING, DIVERSIFICATION OF THE RURAL ECONOMY, FORESTRY, TOURISM, SPORT OR RECREATION; AND~~

- ~~(ii.) DO NOT ADVERSELY AFFECT THE CHARACTER OF THE COUNTRYSIDE OR THE AMENITY OF ADJACENT OR NEIGHBOURING USES; AND~~

- ~~(iii.) INCLUDE SATISFACTORY PARKING AND ACCESS ARRANGEMENTS.~~

- ~~(iv.) THE EXISTING NATURE CONSERVATION INTEREST OF THE SITE IS ACCOMMODATED WHENEVER POSSIBLE.~~

Reuse of Rural Buildings

2.55 Traditional rural buildings can make a positive contribution to the character of the countryside. However, changes in agricultural practices and policy have left many redundant or under used. If such buildings are left to decay, they can become unsightly. The Council therefore supports the reuse of rural buildings both to maintain their value to the landscape, and to reduce the need for new building in the countryside. They may also provide safe refuge for protected species such as bats and barn owls. Acceptable new uses would include those that satisfy the conditions of Policy EN 13.

Reuse of Urban Buildings

2.56 Within urban areas, there are also buildings, or parts of buildings which have fallen into disuse and are capable of being brought back into beneficial use. Such reuse is encouraged as it makes the best use of the Borough's existing buildings, and helps ensure the continued vitality of those areas in which the vacant property is located. The conversion of listed buildings requires particular care (see Policy EN 26) and should ensure that special architectural or historic features are preserved.

2.57 The Council has received support from the government as part of their 'Living Over the Shop' scheme to grant aid the conversion of the upper floors of commercial premises on Norton Road to residential accommodation. Under the Single Regeneration Budget and the Council's own Housing Investment Programme, there are proposals to make vacant properties on housing estates attractive and habitable (see paragraphs 4.31 -4.33).

OBJECTIVE 6

To protect the built heritage and the urban environment.

Background

2.58 The best of the Borough's built environment will be protected or enhanced for its contribution to the quality of life enjoyed by the Borough's population. The finite nature of individual buildings, and groups of buildings, of architectural and historic importance has been recognised in the 'listing' of buildings and designation of conservation areas. Ancient monuments and sites of archeological interest which are widely spread throughout the Borough are also protected for their rarity and their significance as records of our heritage.

2.59 Parks, playing fields, wooded areas, open spaces and amenity areas are valued elements of the urban scene. Protection of these areas is provided by Policy REC I, together with Policies EN 14 and EN 15.

Conservation Areas

2.60 There are ten conservation areas within the Borough, each designated because the area has special architectural or historic character which is worthy of preservation or enhancement. They are:

- Billingham Green
- Bute Street, Stockton
- Cowpen Bewley, Billingham
- Egglecliffe
- Hartburn
- Norton
- Thornaby Green
- Town Centre, Stockton
- Wolviston
- Yarm

2.61 Since their designation, development not needing planning permission has occurred within conservation areas which has neither preserved nor enhanced their character or appearance. To combat this, in some conservation areas the Council has identified properties which are subject to stricter planning controls through Article 4 Directions.

2.62 Increased traffic flows can also detract from the character and appearance of the conservation area, and traffic management measures may be needed in some areas to control the impact of traffic and parking on the environment. Works to pedestrianise the High Street have brought significant improvements to the Stockton Town Centre Conservation Area (see paragraph 3.48 and Policy SH I) whilst Stockton Borough Council is seeking to establish appropriate public transport and traffic management measures that can be implemented in Yarm to alleviate the town centre's traffic congestion and car parking problems.

EN 20

THE CONVERSION, ADAPTATION AND REUSE OF RURAL BUILDINGS FOR COMMERCIAL, INDUSTRIAL, TOURISM, SPORT AND RECREATIONAL USES Will BE PERMITTED PROVIDING THAT:

- (i.) THE PROPOSED USE CAN LARGELY BE ACCOMMODATED WITHIN THE EXISTING BUILDING, WITHOUT SIGNIFICANT DEMOLITION AND REBUILDING; AND**
- (ii.) ANY ALTERATIONS OR EXTENSIONS ARE LIMITED IN SCALE, AND DO NOT ADVERSELY AFFECT THE FORM AND CHARACTER OF THE EXISTING BUILDING, AND**
- (iii.) THERE IS NO ADVERSE EFFECT ON THE CHARACTER OF THE AREA; AND**
- (iv.) WHERE THE BUILDING HAS BEEN CONSTRUCTED UNDER PERMITTED DEVELOPMENT RIGHTS, IT HAS BEEN LEGITIMATELY USED FOR AGRICULTURAL PURPOSES; AND**
- (v.) ACCESS, MANOEUVRING SPACE AND PARKING PROVISION FOR THE NEW USE CAN BE ACCOMMODATED WITHOUT BEING INTRUSIVE; AND**
- (vi.) THERE IS NO ADVERSE EFFECT ON ANY SAFE REFUGE OF PROTECTED SPECIES SUCH AS BATS OR BARN OWLS.**

2.63 Residential conversions may be appropriate where no significant change is

brought about to the character and appearance of the building or the area immediately around it. Changes to buildings should not destroy any essential character it may possess. A structural survey of the building will help establish whether conversion can take place without endangering the structure of the building. Such a survey may therefore be required as part of the application. Safe and adequate access should be available for any development without being visually intrusive, for example through the removal of hedges to achieve sight-lines.

EN 21

~~**THE CONVERSION ADAPTATION OR REUSE OF A BUILDING IN AN ISOLATED RURAL SETTING FOR RESIDENTIAL USE WILL NOT BE PERMITTED UNLESS:**~~

- ~~**(i.) THE DWELLING IS REQUIRED FOR PERSON(S) WORKING IN FARMING OR FORESTRY; AND**~~
- ~~**(ii.) ALTERATIONS OR EXTENSIONS ARE LIMITED IN SCALE, AND DO NOT ADVERSELY AFFECT THE CHARACTER AND FORM OF THE EXISTING BUILDING; AND**~~
- ~~**(iii.) ACCESS AND PARKING PROVISION FOR THE NEW USE CAN BE ACCOMMODATED WITHOUT BEING INTRUSIVE; AND**~~
- ~~**(iv.) THE BUILDING AND ITS IMMEDIATE CURTILAGE RETAIN A RURAL CHARACTER; AND**~~
- ~~**(v.) THERE IS ANY ADVERSE EFFECT ON THE SAFE REFUGE OF PROTECTED SPECIES SUCH AS BATS AND BARN OWLS.**~~

~~**APPLICANTS MAY BE REQUIRED TO SUBMIT A COMPLETE STRUCTURAL SURVEY WITH ANY APPLICATION.**~~

2.64 In addition, a number of conservation areas include large areas of land which are protected from inappropriate development by policies elsewhere in the plan, e.g. Hartburn, where land to the south of the village is outside the limits to development and hence protected by policy EN 13. The Council will undertake a review of the boundaries of conservation areas and will publish proposals for their preservation and enhancement. Priority in the preparation of schemes for the preservation and enhancement will be given to Yarm and Cowpen Bewley. Both are subject to external pressures of traffic and tourism (Yarm) and land use and ownership changes (Cowpen Bewley), which could damage the character and appearance of the conservation area if allowed to impinge in an uncontrolled way.

EN 22

THE BOUNDARIES OF EXISTING CONSERVATION AREAS WILL BE REVIEWED AND ADJUSTMENTS MADE WHERE APPROPRIATE. PRIORITY WILL BE GIVEN TO THE FOLLOWING AREAS:

- (a.) BILLINGHAM GREEN;
- (b.) EGGLESCLIFFE;
- (c.) HARTBURN;
- (d.) TOWN CENTRE; STOCKTON;
- (e.) THORNABY GREEN;
- (f.) WOIVISTON.

EN 23

SCHEMES WILL BE PREPARED FOR THE PRESERVATION AND ENVIRONMENTAL ENHANCEMENT OF ALL EXISTING CONSERVATION AREAS. PRIORITY IN PROGRESSING SCHEMES WILL BE GIVEN TO YARM AND COWPEN BEWLEY CONSERVATION AREAS.

New Development in Conservation Areas

2.65 New development may be necessary for the essential running of existing businesses or to secure a viable use for the buildings in conservation areas. The Council will require such development to be sympathetic to the area's special architectural, historic or visual qualities.

2.66 Where new development is proposed within conservation areas, the Council will require it to be sympathetic to the area's special architectural, historic or visual qualities.

2.67 Developers should discuss proposals with the Council's Planning Division before applications are submitted, and they will normally be required to submit full details with any planning application. This will ensure proper consideration is given to the proposal's impact on the conservation area.

2.68 Where the demolition of buildings is proposed, conservation area consent is required. This is only likely to be granted where the character of the conservation area can be maintained or enhanced. The Council wishes to prevent unattractive gaps being created in sensitive frontages, and will seek to secure the redevelopment of the site by planning agreement.

EN 24

NEW DEVELOPMENT CONSERVATION AREAS PERMITTED WHERE:

WITHIN WILL BE

- (i.) **THE SITING AND DESIGN OF THE PROPOSAL DOES NOT HARM THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA; AND**
- (ii.) **THE SCALE, MASS, DETAILING AND MATERIALS ARE APPROPRIATE TO THE CHARACTER AND APPEARANCE OF THE AREA.**

EN 25

THE DEMOLITION OF BUILDINGS AND OTHER STRUCTURES WHICH REQUIRE CONSENT FOR DEMOLITION WITHIN CONSERVATION AREAS WILL NOT BE PERMITTED UNLESS:

- (i.) IT CAN BE SHOWN THAT THE LOSS IS NOT DETRIMENTAL TO THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA; OR**
- (ii.) THE STRUCTURAL CONDITION RENDERS IT UNSAFE; OR**
- (iii.) THE STRUCTURE IS BEYOND REASONABLE ECONOMIC REPAIR.**

CONDITIONS WILL NORMALLY BE IMPOSED TO SECURE THE SATISFACTORY REDEVELOPMENT OF THE SITE.

Trees in Conservation Areas

2.69 Trees can also make a significant contribution to the character of Conservation Areas and deserve protection. Where this has not been achieved with a Tree Protection Order (TPO), six weeks notice must be given to the Council by anyone intending to carry out works on any tree. This gives the Borough Council an opportunity to consider making a TPO. TPOs will not be sought if the Council is satisfied that the works are necessary for the health of the tree or for public safety.

Listed Buildings

2.70 Over 400 buildings within the Borough are recognised nationally as buildings of special architectural and historic interest. These 'listed buildings' are protected for their quality and rarity. Any demolition, alterations or extensions to the existing structure, or development which is likely to affect the setting of a listed building requires listed building consent, in addition possibly to planning permission, before works proceed.

2.71 In the case of listed farm buildings the importance of preserving the setting of that building will be taken into account in relation to the operational needs of the farm.

2.72 Where continued economic use can only be secured by extension or alteration of the listed building, proposals must preserve or enhance its character. In considering consent for demolition, the Council will need to be satisfied that all avenues for the building's viable retention have been explored, having regard to the income any use of the building is likely to generate and the cost of maintaining the building in the long term.

EN 26

ALTERATIONS, EXTENSIONS AND CHANGES OF USE TO LISTED BUILDINGS WILL BE PERMITTED WHERE THE PROPOSALS ARE IN KEEPING WITH THE CHARACTER AND APPEARANCE OF THE ORIGINAL BUILDING, AND ITS ARCHITECTURAL OR HISTORIC INTEREST IS NOT ADVERSELY AFFECTED.

EN27

THE TOTAL DEMOLITION OF A LISTED BUILDING WILL NOT BE PERMITTED UNLESS THE BUILDING IS BEYOND ECONOMIC REPAIR.

EN28

DEVELOPMENT WHICH IS LIKELY TO DETRACT FROM THE SETTING OF A LISTED BUILDING WILL NOT BE PERMITTED.

Sites of Archaeological Interest

2.73 Archaeological sites are an irreplaceable part of the Borough's heritage. They are also highly fragile and vulnerable to damage and destruction.

2.74 A high degree of protection is afforded to eight nationally important sites within the Borough, known as Scheduled Ancient Monuments. They are:

- Castle Hill, Castleleavington;
- Grindon Church, Grindon;
- Round Hill Castle, Ingleby Barwick;
- Larberry Pasture Settlement Site, Longnewton;
- Newsham Deserted Medieval Village;
- Market Cross, Stockton;
- The Market Hall, Yarm;
- Yarm Bridge, Yarm.

Any works affecting them require Scheduled Monument Consent from English Heritage. Planning permission may also be required.

EN 29

DEVELOPMENT WHICH WILL ADVERSELY AFFECT THE SITE, FABRIC OR SETTING OF A SCHEDULED ANCIENT MONUMENT WILL NOT BE PERMITTED.

2.75 The Council will also protect all other sites where archaeological remains exist. Developers of such sites will be required to ensure that archaeological features of the site are recorded prior to development and, wherever possible, that any remains are preserved 'in situ'. To meet this obligation, developers should establish in their initial site assessment whether the site is likely to contain archaeological remains.

2.76 If important remains are known to exist, proposals must demonstrate that the remains will not be disturbed. Where this is not practicable, the Council will require the developer to enter a legal agreement to ensure that, prior to development, an excavation is carried out and a record of the archaeological evidence made. The cost of this will be borne by the developer.

EN 30

DEVELOPMENT WHICH AFFECTS SITES OF ARCHAEOLOGICAL INTEREST WILL NOT BE PERMITTED UNLESS:

- (i.) **AN INVESTIGATION OF THE SITE HAS BEEN UNDERTAKEN; AND**
- (ii.) **AN ASSESSMENT HAS BEEN MADE OF THE IMPACT OF THE DEVELOPMENT UPON THE REMAINS; AND WHERE APPROPRIATE;**
- (iii.) **PROVISION HAS BEEN MADE FOR PRESERVATION 'IN SITU'.**

WHERE PRESERVATION IS NOT APPROPRIATE, THE LOCAL PLANNING AUTHORITY WILL REQUIRE THE APPLICANT TO MAKE PROPER PROVISION FOR THE INVESTIGATION AND RECORDING OF THE SITE BEFORE AND DURING DEVELOPMENT

OBJECTIVE 7

To protect the public and the environment from pollution and hazard.

Background

2.77 The Council is committed to protecting the public and the environment from pollution and hazard, both in the short term and the long term. Pollution can be damaging both to people's health and to the environment and can deter development from taking place on neighbouring sites. Indeed, pollution may adversely affect the image of the whole area held by potential investors and residents.

2.78 Development which reduces pollution, ego improved sewage treatment or gas cleansing plant, can result in environmental improvements. However, there can be adverse impacts on local environmental quality ego noise and smell. So whilst the Council supports development which reduces pollution, this is not to be achieved at the expense of other environmental objectives. In appropriate circumstances, an environmental assessment will be required to establish the nature and extent of any impacts.

2.79 The Plan seeks to limit pollution and ensure that its impact is limited through separation of sensitive uses. The same approach is taken to protect the public from hazard. The control of pollution arising from motor vehicles is tackled through complementary measures of traffic restraint and of encouragement to people to use more energy efficient or less polluting modes of transport, ego walking, cycling, public transport. These matters are dealt with comprehensively in Chapter 5 of this Plan.

Protection from Pollution

2.80 To ensure that new development does not reverse the improvements to environmental quality already made, all proposals likely to cause noise, grit, dust, fumes, smoke or vibration will be referred to the relevant pollution control agency for advice. Any controls necessary will be secured through the use of planning conditions or legal agreements.

2.81 The Council will consider fully the impact of possible pollution, particularly through the requirement for an Environmental Statement.

~~EN 34~~

~~DEVELOPMENT WHICH MAY CAUSE POLLUTION WILL ONLY BE PERMITTED IF IT INCLUDES MEASURES TO PREVENT AN ADVERSE IMPACT ON THE ENVIRONMENT. FOR THE PURPOSES OF ENABLING A PROPER ASSESSMENT OF SUCH IMPACT, PROPOSALS MUST BE SUPPORTED, WHERE APPROPRIATE, BY AN ENVIRONMENTAL STATEMENT.~~

Water and Sewerage Undertakings

2.82 Duties and statutory obligations imposed upon water and sewerage undertakers are increasingly important in ensuring that polluting discharges are reduced to acceptable limits and drinking water of appropriate quality is supplied to customers. To ensure that undertakers are able to deliver services in the manner required by legislation, significant changes in respect of infrastructure are likely to be required during the Plan period.

2.83 The Local Planning Authority is keen to support the provision of infrastructure which secures pollution control and water treatment to the benefit of the environment and the public, provided that proper attention is given to the existing landscape, to the amenity of residents and to nature conservation. New facilities and infrastructure must be provided so as to be of minimal impact on the environment in terms of visual amenity and so as to have no adverse impact on residents who may live close to the proposed installations.

EN-32

~~DEVELOPMENT WHICH WILL ENABLE WATER AND SEWERAGE UNDERTAKERS TO MEET THEIR STATUTORY OBLIGATIONS AND TO COMPLY WITH THE ENVIRONMENTAL STANDARDS ENACTED IN GOVERNMENT AND E.U. LEGISLATION WILL NORMALLY BE PERMITTED PROVIDED THAT:~~

- ~~(i.) INSTALLATIONS AND INFRASTRUCTURE ARE LOCATED AND DESIGNED SO AS TO HAVE MINIMAL IMPACT ON THE LANDSCAPE AND COUNTRYSIDE AND UPON RESIDENTIAL AMENITY: AND~~
- ~~(ii.) NATURE CONSERVATION INTERESTS ARE TAKEN INTO ACCOUNT AND ACCOMMODATED.~~

Agricultural Waste

2.84 Agricultural waste can be highly polluting if controls are not in place to prevent it leaching or draining into watercourses. Farmers are now required to contain such effluent by the Control of Pollution Regulations 1991, and will often need to erect structures to comply. However, the odour from slurry stores can harm the amenity of the occupants of nearby buildings, whilst the appearance of the structure can be an intrusive feature in the countryside. To prevent such harmful outcomes the Council will seek advice from the Environment Agency, will take account of the proximity of habitable buildings, and may require the installation to be subject to appropriate landscaping.

EN-33

~~AGRICULTURAL SLURRY STORES WILL BE PERMITTED PROVIDED THAT THEIR SITING AND DESIGN:~~

- ~~(i.) MINIMISE ODOUR NUISANCE TO NEARBY RESIDENTS; AND~~
- ~~(ii.) PREVENT THE ESCAPE OF CONTAMINATED WATER OR LIQUID MATTER TO WATERCOURSES; AND~~
- ~~(iii.) HAVE NO SIGNIFICANT ADVERSE IMPACT ON THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE; AND~~
- ~~(iv.) HAVE NO SIGNIFICANTLY ADVERSE IMPACT ON THE NATURE CONSERVATION INTEREST OF THE AREA.~~

Contaminated land

2.85 land contamination can arise on land where hazardous substances have been used, stored or dumped. At landfill sites, gas can also accumulate through the decomposition of waste. These contaminants escape to the surrounding land and water courses, whilst gas can build up to explosive concentrations or can cause suffocation if trapped in buildings.

2.86 Developers should establish at an early stage the nature and extent of any contamination. If present, contamination should be contained or removed prior to development, to prevent risk to the public, to safeguard the environment and the foundations of the development in the long term.

~~EN-34~~

~~THE DEVELOPMENT OF SITES WHICH ARE CONTAMINATED MAY BE PERMITTED PROVIDED THAT:~~

- ~~(i.) THE NATURE AND EXTENT OF CONTAMINATION HAS BEEN ESTABLISHED; AND~~
- ~~(ii.) THE PROPOSAL WILL NOT ADD TO THE SITE'S CONTAMINATION; AND~~
- ~~(iii.) MEASURES ARE INCLUDED TO REDUCE THE HAZARD POSED BY CONTAMINANTS TO AN ACCEPTABLE LEVEL AT WHICH IT CAN BE MAINTAINED; AND~~

~~(iv.) NO SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT RESULTS FROM ANY DISTURBANCE OF CONTAMINANTS OR THEIR MOVEMENT INTO SURROUNDING GROUND DURING AND AFTER DEVELOPMENT.~~

2.87 Development on sites adjoining contaminated land also needs to be protected from the possible migration of contaminants onto the site. Developers will need to ensure that there is no threat to the proposed development from contaminants, whether it is prevented by existing ground conditions and topography or by remedial measures.

~~EN-35~~

~~DEVELOPMENT IN THE VICINITY OF CONTAMINATED SITES MAY BE PERMITTED PROVIDED THAT:~~

- ~~(i.) IT CAN BE SHOWN THAT GROUND CONDITIONS BETWEEN THE CONTAMINATED SITE AND THE PROPOSED DEVELOPMENT PREVENT THE CONTAMINATION MIGRATING; OR~~
- ~~(ii.) THE PROPOSAL INCLUDES MEASURES AT THE SITE PERIPHERY TO PREVENT THE INCURSION OF CONTAMINANTS INTO THE SITE~~

~~(iii.) THE PROPOSAL INCLUDES MEASURES TO PREVENT CONTAMINANTS, LEACHATE OR GASES ACCUMULATING IN QUANTITIES WHICH ARE HAZARDOUS.~~

Special Industrial Uses and Hazardous Developments

2.88 A number of industrial sites within the Borough use or store substances which could cause a major fire, explosion or toxic hazard. However these 'hazardous installations' make a vital contribution to the local economy and therefore should not be unnecessarily constrained.

2.89 By controlling the location of any new hazardous installation or special industrial use within classes B4 -B7 of the Town and Country Planning (Use Classes) Order 1987, and controlling development in the vicinity of existing installations, the risk to the public can be minimised. In assessing applications for hazardous substances consent for handling, storing, or using hazardous substances the Council will also aim to minimise risk. The Council will seek advice from the Environment Agency and the Health and Safety Executive (H.S.E) on the nature and extent of any hazard likely to arise from the hazardous substances or from the development of a hazardous installation.

New Hazardous Development

2.90 In order to protect the public from further hazard, new hazardous installations will only be permitted on sites at North Tees and Seal Sands and in certain parts of ICI Billingham known as the Process Plant Park (Policies IN 6 & IN 7).

EN 36

ANY NEW HAZARDOUS INSTALIATIONS Will ONLY BE PERMITTED IF:

- (i.) **IT IS ON LAND IDENTIFIED IN POLICIES IN 6 AND IN 7; AND**
- (ii.) **IT DOES NOT PREJUDICE THE DEVELOPMENT OF ADJACENT LAND; AND**
- (iii.) **THERE IS NO INCREASED HAZARD TO EXISTING RESIDENTIAL AREAS, PRESTIGE INDUSTRIAL SITES OR ANY SITE ATTRACTING LARGE NUMBERS OF PEOPLE.**

Existing Hazardous Development

2.91 In order to maintain public safety, the expansion of existing hazardous installations and development in the vicinity of such installations will be controlled. Expansion of any hazardous installation must not cause any unacceptable increase in risk to people in the neighbourhood, whilst no development which will cause people to spend more time in the vicinity of the installation will be permitted unless there would be no significant threat to the safety of those people. This control will be applied to the areas within the H.S.E's consultation zones, and will take account of advice received from the H.S.E.

EN 37

THE EXPANSION OF EXISTING INSTALIATIONS STORING OR USING HAZARDOUS SUBSTANCES WILL BE PERMITTED PROVIDED THAT:

- (i.) THERE IS NO INCREASE IN HAZARD TO PEOPLE OR PROPERTY IN THE VICINITY; AND**
- (ii.) THE DEVELOPMENT OF ADJACENT LAND IS NOT PREJUDICED.**

EN 38

RESIDENTIAL DEVELOPMENT OR DEVELOPMENT WHICH ATTRACTS SIGNIFICANT NUMBERS OF PEOPLE, PARTICULARLY THE LESS MOBILE, WILL BE PERMITTED IN THE VICINITY OF A HAZARDOUS INSTALIATION ONLY WHERE THERE IS NO SIGNIFICANT THREAT TO THE SAFETY OF THE PEOPLE INVOLVED.

EN 39

THE EXPANSION OF EXISTING INDUSTRIAL OR COMMERCIAL UNDERTAKINGS IN THE VICINITY OF HAZARDOUS INSTALIATIONS WILL NORMALLY BE PERMITTED IF IT CAN BE SHOWN THAT ADDITIONAL PEOPLE AND BUILDINGS WILL NOT BE PIACED AT UNACCEPTABLE RISK BECAUSE OF THE PROXIMITY OF THE INSTALIATION.

Storage and Use of Hazardous Substances

2.92 There may also be a degree of risk to people near sites where hazardous substances are stored or used. In assessing applications for hazardous substances consent, the Council will wish to be satisfied that people will not be placed at unacceptable risk. The Council will take advice from the H.S.E. on such matters.

EN 40

THE STORAGE AND USE OF HAZARDOUS SUBSTANCES WILL BE PERMITTED ONLY IF THERE WILL BE NO UNACCEPTABLE RISK TO PEOPLE IN THE VICINITY OF THE SITE AND PROVIDED THAT THE DEVELOPMENT OF THE ADJACENT LAND IS NOT PREJUDICED.

OBJECTIVE 8

To support in appropriate locations development necessary for the generation of energy from renewable resources.

Renewable Energy

2.93 Fossil fuel combustion causes air pollution, depletion of the ozone layer and global warming. These unsustainable legacies which future generations will have to bear can be curbed by using renewable energy sources (see glossary) rather than fossil fuels. Renewable energy also offers a more certain long term energy supply, a factor which can help attract footloose industry and jobs to the Borough.

2.94 The technology to harness renewable energy is developing rapidly, encouraged b)' government support (the Non Fossil Fuel Obligation). Within the plan period, the most likely renewable energy source to be commercially used is municipal solid waste. Cleveland County Council's waste incinerator' at Portrack is due to close in 1997, and planning permission exists for its replacement with a waste-to-energy processing plant at ICI Process Plant Park, Billingham. In addition, the Borough Council is currently considering the merits of a waste to biomass to energy scheme. Such facilities, which have obvious global benefits, should be located without compromising existing environmental assets, or detracting from the quality of life enjoyed by the Borough's residents. Proposals will be assessed against both these considerations, and should not conflict with any other policies of the Local Plan. For large scale waste-to-energy schemes, an Environmental Impact Statement will be required.

EN41

~~DEVELOPMENT WHICH IS REQUIRED TO ENABLE THE RELEASE AND TRANSMISSION OF ENERGY FROM RENEWABLE SOURCES WILL ONLY BE PERMITTED ON LAND IDENTIFIED IN IN 5. EXCEPTIONALL V; WHERE IT CAN BE SHOWN THAT NO SUCH SUITABLE SITES EXISI;; DEVELOPMENT MAY BE PERMITTED PROVIDED THAI:-~~

~~(i.) THERE IS NO ADVERSE IMPACT ON THE AMENITY OF NEARBY RESIDENTS, NOR ANY UNACCEPTABLE IMPACT ON NEIGHBOURING USES ARISING FROM THE OPERATION OF PLANT, STORAGE OF MATERIALS OR MOVEMENT OF TRAFFIC TO AND FROM THE SITE; AND~~

~~(ii.) THE PROPOSAL DOES NOT IMPINGE ON ANY OF THE BOROUGH'S NATURAL ASSETS IDENTIFIED IN POLICIES EN 1, EN 4, EN 7, EN 8, EN 9, EN 10 AND EN 14; AND~~

~~(iii.) BUILDINGS ARE SITED, DESIGNED AND LANDSCAPED TO SECURE THE INTEGRATION OF THE FACILITY INTO THE LANDSCAPE.~~

2.95 The renewable energy source with the greatest potential for growth in the medium- long term in the Borough is wood. Agricultural land which is currently out of productive use (ie. set aside) can be planted up and coppice cropped over a period of 30 years to provide fuel for wood burners; land within the Community Forest area is considered particularly appropriate for such planting.

2.96 In general, and in comparison to nearby upland areas, the average windspeed across Stockton Borough is too low for viable harnessing. One exception may be Seal Sands/Teessmouth which is likely to be subject to sustained onshore breezes, but this area is constrained by a lack of sites and by the international importance of the area to birds. Farmers and others located in relatively exposed and remote rural areas may in future seek to harness wind energy through small turbines to supplement their conventional supply. The Council will support such schemes, having regard to their visual and noise impact.

EN 42

SINGLE WIND TURBINES AND ASSOCIATED PLANT IN THE COUNTRYSIDE WILL NORMALLY BE PERMITTED UNLESS:

- (i.) IT IS DETRIMENTAL TO THE CHARACTER OF A SPECIAL LANDSCAPE AREA; OR**
- (ii.) IT CAUSES UNACCEPTABLE HARM TO THE AMENITY OF NEIGHBOURING RESIDENTS.**

2.97 Methane gas arising from decomposing organic material in landfill sites can also be a source of energy. However, none of the landfill sites within the Borough are considered capable of maintaining viable power generation because of relatively low levels of methane gas generated and their remoteness from potential energy customers.

2.98 The Tees Barrage may offer some potential for small scale hydro-electric power generation. As yet, though, no viable schemes have been proposed.

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