

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 25th February, 2015.

**Present:** Cllr Robert Gibson(Chairman), Cllr Gillian Corr(Vice-Chairman), Cllr Jim Beall, Cllr Phillip Dennis, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Ken Lupton, Cllr Maureen Rigg(Sub Cllr Alan Lewis), Cllr Michael Clark(Sub Cllr David Rose), Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr David Wilburn

**Officers:** Martin Parker, Peter Shovlin, Colin Snowdon Greg Archer, Joanne Hutchcraft, Barry Jackson(DNS), Julie Butcher, Sarah Whaley(LD)

**Also in attendance:** Applicants, Agents, Members of the Public

**Apologies:** Cllr Alan Lewis, Cllr David Rose, Cllr Andrew Sherris

### **P Evacuation Procedure**

**110/14**

The Evacuation Procedure was noted.

### **P Declarations of Interest**

**111/14**

Cllr Ken Lupton declared personal prejudicial interest in relation to, 14/3073/FUL The Masham, Hartburn Village, Stockton on Tees, as the Agent representing the Applicant was a family friend. During consultation Cllr Lupton had submitted concerns on behalf of local residents as detailed within the main report. Cllr Lupton also made representation on behalf of local residents at the meeting. Cllr Lupton did not vote on the item.

### **P 14/2901/VARY**

**112/14**

**Sainsburys Supermarkets Ltd, Whitehouse Farm, Bishopton Road West, Stockton-On-Tees**  
**Section 73 application to vary condition no. 8 (hours of operation) and condition no. 9 (delivery times) of planning approval 14/0985/FUL for a 3 pump petrol station to amend the opening hours to be Monday to Saturday 0700-2300 and Sunday 0800-2000 and the delivery hours to be Monday to Sunday 0700-2300**

Consideration was given to a report on planning application 14/2901/VARY Sainsburys Supermarkets Ltd, Whitehouse Farm, Bishopton Road West, Stockton-On-Tees.

The application sought to vary the hours of operation and the delivery hours of the previously approved petrol filling station at the Sainsbury's store at Whitehouse Farm in Stockton.

The previous hours were conditioned as part of an approval granted in July 2014 by the Planning Committee for the Petrol Filling Station (14/0985/FUL) to between 08:00 -21:00 Monday to Friday, 08:00 to 22:00 Saturday and 10:00 to 16:00 on a Sunday. The hours of delivery were conditioned to between 07:00 – 22:00 Monday to Sunday.

Since the original submission the applicant had withdrawn the request for the

opening hours and deliveries to commence at 06:00 hours each morning and had requested that the hours be amended to the following:-

Opening hours for the petrol filling station to between 07:00 – 23:00 Monday to Saturday and 08:00 to 20:00 on a Sunday and the delivery hours to between 07:00 – 23:00 Monday to Sunday.

The Head of Technical Services had no objection to the proposal in terms of highway safety, vehicular traffic and car parking. The Environmental Health Officers had no objections to the revised hours having regard to existing background noise levels.

Objections had been received from Councillor Cherrett, Councillor Kennedy and Councillor Stephenson had expressed a concern. Following the neighbour consultation, site notices and newspaper advertisement there had been 49 letters of objection received.

In summary, the objections related to the following, highway issues, car parking issues, potential for further extension of hours, the lack of information in the noise assessment in relation to the impact on the residential properties, removal of the staffed kiosk could lead to 24 hour opening, anti-social issues, lack of consultation on original petrol filling station application, previous petrol station applications refused, need for further petrol station, devaluation of house prices, car park flooding, site security and the recent refusal of extension of hours of operation at Aldi, Darlington Lane Norton (14/2194/VARY).

It was considered that the revised proposed variation of hours of operation and the delivery hours accorded with the general principles of the National Planning Policy Framework. The variation in hours as proposed having regard to the supporting information accompanying the application demonstrated that there would not be an unacceptable loss of amenity for neighbouring properties, due to the existing background noise levels and it was considered that the scheme would not have an adverse impact on highway safety.

The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours were notified and the comments received were detailed within the report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning 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.

The planning policies that were considered to be relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that the impacts of the variation in the hours of operation and delivery hours had been considered against national and local planning guidance. Material considerations had been considered in detail and the variation in hours was considered to be acceptable.

It was recommended that the application be approved with conditions for the reasons specified within the main report.

The Town Planning Manager for Sainsbury's was in attendance at the meeting and given the opportunity to make representation. Her comments could be summarised as follows:

- Planning permission had been granted in July 2014 for the erection of the petrol station. The petrol station was currently under construction and was due to open in March 2015.
- The proposed application related solely to delivery and operating hours of the petrol station only, allowing customers to fill up before and after shop opening hours.
- Anticipated deliveries were to be 2 to 3 times per week.
- Residents, Councillors and the Local Authority had been kept informed of the proposals.
- The initial opening hours requested in the original application to construct the petrol station had been reduced. A comprehensive noise assessment had been provided which limited the impact on local amenity.

Ward Councillors, Cllr Julia Cherrett and Cllr Elliot Kennedy were in attendance at the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- There were already restrictions on delivery times to the Sainsbury's store between the hours of 10.00pm and 7.00am to protect the amenity of local residents. The original plan had been agreed with conditions restricting delivery times.
- Heavy Goods Vehicles should not use Barlborough Way during the times of 7.30 and 9.30am due to the high level of traffic using the road during these times.
- A recent decision (14/2164/VARY): Aldi Supermarket, Darlington Lane, Norton was refused after an application to vary opening hours was proposed. The refusal was given on the grounds that the newly proposed opening hours would result in an unacceptable increase in noise and disturbance thereby harming levels of residential amenity at a time of day when residents should be able to

expect higher levels of amenity. The proposed application for the petrol station at Sainsbury's would result in the same loss of local amenity and therefore should be refused as had the application for the Aldi store.

- The car park at the proposed site was small and not an ideal place for pedestrians, car users and fuel tankers to mix.

- When the original application was approved at the July 2014 meeting it contained conditions which were to remain in perpetuity. One of the perpetual conditions was the operating hours. Work had not even commenced before Sainsbury's had applied for a variation to the operating hours.

- A local resident had had sound monitoring equipment installed in his home to assess the level of potential noise if the proposed filling station was opened at 6.00am. The assessment stated that the noise disturbance would be noticeable inside the residents property and likely to cause sleep disturbance.

- The nearby Centaur public house was close by to the proposed site and could have potential issues at closing time when patrons would be leaving the pubs car park if tankers were coming in and out of the petrol station at the same time.

Objectors were in attendance at the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- It seemed that a retrospective change of hours was coming through the back door.

- The original application had received a lot of hostility from local residents.

- The quantity of online objections was high.

- Not one letter of support from nearby residents for the petrol station had been received, however Sainsbury's claimed they were responding to customer demand!

- How would extending the operating hours help customers when the shop itself was closed?

- The application had nothing to do with customer requirements it was purely profit led.

- Residents felt they had been excluded and ignored; they did not want the petrol station let alone a variation to the operating hours.

- The Local Authority had worked closely with Sainsbury's and not local residents.

- Sainsbury's were not a good neighbour.

- Changes to the delivery times would add late night noise and pollution. Traffic congestion would increase.

- Night time impact would be seven days a week.

- There was a potential to increase Anti-Social Behaviour.
- There was nothing to stop Heavy Goods Vehicles parking outside resident's bedrooms whilst waiting to deliver petrol at the permitted time.
- 90% of the Whitehouse Estate residents had expressed they were soon to be ex Sainsbury's customers.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Members commented that it felt as though Sainsbury's had 'played the Committee' by applying for a variation to the operating hours so quickly prior to the petrol station even being open.
- Suggestions were made to reduce the operating and delivery times, the applicant was looking to increase operating hours by 30 hours per week which was not a modest increase as stated by Sainsbury's, but a radical revision.
- Concerns were raised in relation to the access and egress to the car park.
- Hours should have been kept in line with that of the supermarket.
- The original application was approved however with some concerns. The proposed variation would seem premature and made a mockery of the planning process. There was no evidence to support the need to extend the operating hours, and as the petrol station had not yet opened it would be difficult to gain that evidence.
- Sainsbury's were not living up to what they stated of working and living with the local community.

A vote then took place and the application was refused.

RESOLVED that planning application 14/2901/VARY, Sainsburys Supermarkets Ltd, Whitehouse Farm, Bishopton Road West, Stockton-On-Tees be refused for the following reason:

01 In the opinion of the Local Planning Authority the proposed increase in operating hours for customers and deliveries was considered to be detrimental to the amenity of nearby residents at times when they could reasonably expect peaceful enjoyment of their homes contrary to the guidance in paragraph 123 of the National Planning Policy framework.

**P 14/3073/FUL**  
**113/14 The Masham , Hartburn Village, Stockton-On-Tees**  
**Proposed single storey extension to rear and provision of fire escape on first floor**

Consideration was given to a report on planning application 14/3073/FUL The

Masham , Hartburn Village, Stockton-On-Tees.

The application sought planning permission for a single storey extension to the rear at the Masham Public House, Hartburn.

There had been 4 letters of neighbour objections to the application and also an objection from one of the Ward Councillors, Councillor Lupton.

Applications for similar proposals for extensions had been previously refused on highway and amenity grounds.

The material considerations of the application related to the impact of the proposals on highway safety, the impact on the amenities of neighbouring properties and the impact on designated heritage assets and had there been any material change in circumstances since the previous refusal.

The main area of concern from neighbours related to the potential highway and car parking implications of the development. The Head of Technical services offered no objection to the application as he considered the development was in accordance with the guidance in the National Planning Policy Framework,

The application was considered to be acceptable in regards to the impacts of car parking and highway safety, the impact on the amenities of neighbouring properties, the Hartburn Conservation Area and the significance of the grade II listed building.

The application was recommended for Approval with conditions.

The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours were notified and the comments received were detailed within the report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan.

Section 143 of the Localism Act came into force on the 15 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, the section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should 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

The planning policies that were considered to be relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that it was considered that the scheme would not adversely affect highway or pedestrian safety or the character and appearance of the existing listed building and the surrounding conservation area.

The proposal was therefore considered to accord with the provisions of saved Policy EN24, EN26 and Core Strategy Policy CS3 (8).

Having regard to the supporting information accompanying the planning application and the National Planning Policy Framework it was considered that the scheme would not lead to an unacceptable impact on the amenity of neighbouring residents or an adverse impact on highway safety and addressed the previous reasons for refusal and appeal decision. The proposal was therefore considered to be in accordance with the relevant Development Plan policies and was considered to be an acceptable form of development.

It was recommended that the application be approved with conditions for the reasons as specified within the main report.

Ward Councillor Lupton was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- Residents had raised concerns in relation to traffic implications. There was no doubt that there would be an increase in traffic, which would use the narrow road located close to the Masham for parking impacting on the ability for residents to park close to their homes. The parking situation would cause significant inconvenience for residents and a suggestion was made to introduce resident only parking.
- The area of the proposed extension was currently used as a smoking shelter. If approved the area would no longer be available as a smoking shelter and smokers would spill out into the garden causing possible nuisance to nearby neighbours.
- Although the Landlord and Licensee were responsible, the concerns of the residents were genuine and needed to be considered.

The Applicants Agent was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- 20 years ago the pub employed only 2 people. Currently however the pub had now employed 19 staff and also offered apprenticeships to local college students.
- If the application was approved there was an intention to employ a further 3 long term staff.
- The design of the proposed Orangery would reduce current noise levels to neighbouring properties.
- A letter of support had been received from an adjacent neighbour who shared

a party wall with the pub.

- Staff had been informed they must use public car parks and not park outside resident's properties. Bike racks were also to be introduced and patrons of the Masham were also being asked to use nearby public car parks.

- Out of the 79 letters received only 3 had raised objections.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Many of these types of public houses were closing each week, local businesses like this required support in the local area.

A vote then took place and the application was approved.

RESOLVED that planning application 14/3073/FUL  
The Masham , Hartburn Village, Stockton-On-Tees  
be approved subject to the following conditions and informatives below;

#### 01. Timescale for implementation

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

#### 02. Approved Plans

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

Plan Reference Number	Date on Plan
W/366/01	25 November 2014
W/366/02	25 November 2014

#### 3. Construction Hours

Construction/Demolition operations including delivery/removal of materials on/off site shall be restricted to 08:00 ' 18:00Hrs on weekdays, 09.00 ' 13:00Hrs on a Saturday and no Sunday or Bank Holiday working.

#### 4. Rear door closure

Notwithstanding the submitted information the rear folding doors of the extension hereby approved shall be kept closed and not used after 9pm in the evening, for the life of the development.

#### 5. Live Music

There shall be no recorded or live entertainment played in the proposed orangery. During live or recorded entertainment in other areas of the Masham, the sliding concertina doors serving the proposed orangery shall remain closed in order to prevent egress of noise. Before the extension is brought into use the side door to the external area shall be fitted with a lobby and/ or self-closing device in accordance with details to be submitted to and approved in writing and installed to the reasonable satisfaction of the Local Planning Authority to prevent the egress of noise and retained for the life of the building.

6. Use of the beer garden

Food and drink from the extension shall not be consumed in the external seating/ smoking area after 23:00 and there shall be no music played in the external seating area at any time.

7. Light spillage

Adequate screening shall be provided to protect residential properties from light intrusion from the development. The lighting provided shall be arranged so as not to shine directly towards any dwelling and shall be shielded or reduced to such a level which prevents light spillage beyond the boundary of the property.

8. Cycle stands

Before the orangery hereby approved is brought into use there shall be provided at the site cycle stands for the provision of safe and secure storage of cycles. The details of the cycle stands shall be submitted to and agreed in writing with the Local Planning Authority and the works shall be carried out in accordance with the agreed details.

9. Precise details of finishing materials shall be submitted to and approved in writing by the Local Planning Authority before development commences

Informative 1: National Planning Policy Framework

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.

Informative 2: Smokeless Fuels

As the property is located in smoke control area the applicant ought to comply with the Clean Air Act 1991 which requires no smoke be emitted from chimneys in smoke control areas. Only 'authorised smokeless fuels' are allowed to be used within a smoke control area such as coke, coalite, sunbrite, gas and oil.

Informative 3: Smoking Shelter

The applicant is advised that they will need to comply with the requirements of the Health Act 2006 and The Smokefree (Premises and Enforcement) Regulations 2006

**P**

**114/14**

**14/3303/FUL**

**Tees Barrage International White Water Centre, Tees Barrage Way, Stockton-On-Tees**

**Proposed Ropes Course and Climbing Attraction with New Detached Ancillary Building and Associated Facilities**

Consideration was given to a report on planning application 14/3303/FUL Tees Barrage International White Water Centre, Tees Barrage Way, Stockton-On-Tees

The application was being brought to the Planning Committee for determination as it was the Council's own development.

Planning permission was sought for the development of a recreational 'Sky Trail' facility at the Tees Barrage International White Water Centre and will

provide a new high profile venue for the Borough, which would complement the existing facilities at the Water Centre.

The Ropes Course structure was 17m high, which was the highest in the Country, and had four levels. There were two zip rails located at levels 1 and 2, and there was also a 10m high climbing wall at one end. Alongside the new structure would be a single storey detached building, which included male and female toilets, storage and an admin/ticket office. Externally there were new hard standing areas to access the facilities.

It was considered the proposal was in line with general planning policies set out in the Development Plan; was acceptable in terms of highway safety and parking arrangements; did not adversely impact on the amenities of neighbouring users; did not adversely impact on ecological habitat and flooding and would complement the existing recreational uses in the area.

The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours were notified and the comments received were detailed within the report.

With regard to planning policies where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should 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

The planning policies that were considered to be relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that overall the nature and scale of the development was acceptable and it was considered that the site could satisfactorily accommodate the proposal without any undue impact on ecological habitat and flooding. The proposed access and highway arrangements satisfied the requirements of Head of Technical Services and the proposal was in accordance with relevant planning policy and guidance and therefore it was recommended that the application be approved with conditions for the reasons as specified within the main report.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- The proposal was an eyesore. The amount of space available on the proposed site was vast, why pick the proposed location? Could it not be built at the back of the site opposite the marshes? It should be hidden.
- This was an excellent proposal
- The proposal was a good leisure offer and should be fully supported, improving the leisure facilities within the area, if approved it would make Stockton a destination town.
- It was hoped that the local wildlife would be left undisturbed by the introduction of the new facility.
- Although some Members expressed the facility did not look aesthetically pleasing, it was highlighted that engineering drawings didn't always look too appealing, however in reality, Members could be pleasantly surprised at the finished construction.
- Issues surrounding land contamination were highlighted however it was considered that any concerns regarding this had been cleared up and dealt with a long time ago by Cleveland County Council.
- Members were disappointed that in relation to the additional single storey building which was to include the toilet facilities, storage and ticket office, there was no mention of sustainability. Members suggested that grey water and recycling needed to be investigated further. It was asked that the detail be looked at again to build in sustainability in line with Stocktons environmental policy.
- Members requested that the toilet facilities were open to the general public not just those who would use the proposed facility.

In response to some of the issues raised by Members, Officers were given the opportunity to address these as follows:

- In relation to foul drainage etc. Officers would look at this again with the architects; however budget constraints could impact on the decision.
- With regard to the toilet facilities being open to the general public, this would need to be raised with Tees Active as they would be in control of running the facility and therefore their agreement would be required.

A vote then took place and the application was approved.

RESOLVED that planning application 14/3303/FUL  
Tees Barrage International White Water Centre, Tees Barrage Way,  
Stockton-On-Tees be approved subject to the following conditions and  
informatives below;

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

02 The development hereby approved shall be in accordance with the following

approved plan(s);

Plan Reference Number	Date on Plan
TS10029/100	23 December 2014
TS10029/101	23 December 2014
TS10029/102	23 December 2014
TS10029/103	23 December 2014
TS10029/104	23 December 2014
TS10029/105	23 December 2014
TS10029/106	23 December 2014

03 The final details of an appropriate foul and surface water drainage solution shall be submitted to and approved by the Local Planning Authority before development commences and the development shall be completed in accordance with the approved scheme. The proposed surface water solution should have sufficient storage within the system to accommodate a 1 in 30 year storm. The design shall also ensure that storm water resulting from a 1 in 100 year event surcharging the drainage system can be stored on site without risk to people or property. The flow path of flood waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event should also be provided.

04 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

05 No development shall take place until a plan detailing the protection and/or mitigation of damage to the population of otter, a protected species under The Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2010 for European Protected Species, and its associated habitat during construction works and once the development is complete. Any change to operational, including management, responsibilities shall be submitted to and approved in writing by the local planning authority. The otter protection plan shall be carried out in accordance with a timetable for implementation as approved.

06 Notwithstanding the plans submitted prior to the commencement of development, details of the proposed materials, including finish to be used in the construction of the rope course, climbing structure, security fence and ancillary buildings shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

07 No development shall take place until details of the foundations have first been submitted to and agreed in writing by the Local Planning Authority. The development shall only be carried out in accordance with the agreed details.

08 Notwithstanding the plans submitted prior to the commencement of

development, details of the proposed trees shall be submitted to and approved in writing by the Local Planning Authority.

#### Informatives:

##### National Planning Policy Framework

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.

##### Drainage

The FRA suggests that the point of discharge for the surface water drainage solution will be into River Tees, this is Main River and will require the consent of the Environment Agency. The Local Planning Authority will require confirmation of the approved discharge connection and the agreed discharge rate.

##### Flood Evacuation

A thorough and robust safe access and egress plan should be drawn up that details how the site should be evacuated prior to flood events. Staff operating the site should have a clear understanding of how to use the safe access and egress plan and how to react to EA flood warnings. The safe access and egress plan should be linked to the EA's flood warning system and approved by the Local Planning Authority.

##### Survey Licence Requirements

It should be noted that a licence will be required from Natural England to survey for, and, where any proposals are made as a last resort, to re-locate legally protected species. Further information and guidance on UK protected species and licensing can be found under the DEFRA web pages for the Wildlife and Countryside Act 1981.

##### Flood Risk

We are satisfied that the revised Flood Risk Assessment (FRA) demonstrates that the finished floor levels of the development will not be at risk from the 100 year flood level as demonstrated by a comparison between topographic levels and hydraulic modelling data. However, it is strongly recommended that the safe egress and access plan as described in the mitigation section within the FRA is implemented as part of the development proposal.

##### Historic Landfill Site

The proposed development is partially located within the licenced area of a historic land fill site (waste management licence No CLE/R28). This was issued to Cleveland County Council for the deposit of uncontaminated clay, subsoil and construction wastes, between 1987 and 1990 at the former Malleable Works.

Although the development proposal is located within the boundary of the formally licenced area, it is our understanding that waste was not deposited on the area of land proposed for this development. It is also considered that the wastes types deposited under the terms of the licence would not have an adverse impact on the proposed development.

##### Land Contamination

Given the nature and scale of the proposed development, we do not consider this site a priority, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency 'Guiding Principles for Land Contamination'.

We recommend that developers should:

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

3) Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

#### Discharge of Foul Sewage

An acceptable method of foul drainage disposal would be connection to the foul sewer.

#### Car Parking Areas

Drainage from parking areas that will discharge to a surface watercourse must be first passed through an oil interceptor. Drainage to soakaway from car parking areas for greater than 50 spaces should be passed through an oil interceptor before discharging to ground.

The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to ground and/or surface waters.

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

Applicant to be advised of the need to incorporate sustainable features such as grey water and to ensure the toilets are "open and free" to the public

- P**  
**115/14**
- 1. Appeal - Maher Projects - Former Campbells Tyre Depot 5 High Street Yarm - 14/1227/ADV - DISMISSED**
  - 2. Appeal - North Bank Growers - Tees Valley Nursery Billingham - 13/3073/FUL - ALLOWED WITH CONDITIONS**
  - 3. Appeal - Mr & Mrs Snowdon - Land adjacent to Thornaby Road Ingleby Barwick - 14/0208/OUT - WITHDRAWN**

RESOLVED that the appeals be noted.