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**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)**  
**(ENGLAND) ORDER 2010**

**APPROVAL SUBJECT TO CONDITIONS**

**Application Number:** 15/1268/FUL

**Applicant :**

Stockton Town FC  
Bishopton Road West  
Stockton On Tees  
TS19 0QD

**Agent :**

Surfacing Standards  
Wesley Bugg  
1A Perth House  
Corbygate Business Park  
Corby  
Northamptonshire  
NN17 5JG

This Council of Stockton on Tees as the Local Planning Authority **HEREBY PERMIT** the development proposed by you in your application registered on 4 June 2015 namely

**Development of an artificial turf pitch with floodlighting and the inclusion of prefabricated stands, prefabricated changing room block with toilet facilities and refreshment area, technical areas with dugouts, turnstile and associated fencing and pathways. at Stockton Sixth Form College, Bishopton Road West, Stockton-on-Tees**

and shown on the approved plan(s) subject to the compliance with the Building Regulations and general statutory provisions in force in the district and subject to the conditions and reasons specified hereunder:

1. The development hereby permitted shall be begun before the expiration of THREE years from the date of this permission.  
Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

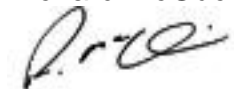
**Change to planning procedure relating to Amendments to Approved Plans**

When Planning permission is granted, it is subject to the work being carried out in accordance with the approved plans, which may be as originally submitted or amended before approval is granted.

As a result of a recent High Court decision (Sage v Secretary of State) the legal position has dramatically changed and the effect of any changes from the approved plan now requires a new planning application to be submitted for the change to be considered. There is no longer any provision for minor amendments to be given consideration. This also means that if the work is carried out other than in complete accordance with the approved plans, the whole development will be unauthorised, as it will not have the benefit of the original planning permission.

Dated: 2 July 2015

Richard McGuckin



Head of Economic Growth and Development Services

**This decision relates to planning consent only. Any other statutory decision e.g. Building Regulation and Improvement Grant must be obtained from the appropriate authority**

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

| Plan Reference Number | Date on Plan |
|-----------------------|--------------|
| 01 REV 00             | 28 May 2015  |
| 02 REV 00             | 4 June 2015  |
| 04 REV 00             | 4 June 2015  |
| 05 REV 00             | 4 June 2015  |
| 06 REV 00             | 4 June 2015  |
| 07 REV 00             | 1 June 2015  |
| 08 REV 00             | 4 June 2015  |
| 09 REV 00             | 28 May 2015  |
| 10 REV 00             | 25 May 2015  |
| 11 REV 00             | 4 June 2015  |

Reason: To define the consent.

3. **Community Use Agreement**

Use of the Artificial Turf Pitch shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the Artificial Turf Pitch and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities.

Reason: To secure well managed safe community access to the sports facility.

4. **Hours of Use**

The Hours of use of the Artificial Turf Pitch and its associated floodlighting shall be restricted as follows;

Use of the pitch and operation of the floodlighting shall be limited to 9am to 8pm Monday to Friday and 9am to 5pm on Saturday and Sunday.

The pitch and floodlighting may be used no more than twice a week until 10pm in the case of a fixture being played by Stockton Town Football clubs first team and 10.20pm in the case of the match being played being a cup tie.

Reasons: In order to limit the use of the pitch and floodlighting and their associated impacts of noise and light disturbance on the residential amenity associated with nearby properties in accordance with the guidance within the National Planning Policy Framework.

5. **Unexpected Land Contamination**

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

Reason: To adequately deal with any unexpected contamination.

6. **Soft Landscaping**

Prior to the artificial Turf Pitch hereby approved being brought into use, the earth bunding and all soft landscaping works shall have been implemented on site in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall be informed by adequate survey work of existing landscaping and designed to supplement existing landscaping.

Reason: To improve levels of screening between the pitch and the adjacent residential properties and thereby limit the impacts of the development on surrounding residential properties.

7. **Soft Landscape Management and Maintenance**

The approved scheme of soft landscaping shall be managed in accordance with a landscape Management Plan which has been submitted to and approved in writing by the Local Planning Authority prior to the artificial pitch being brought into use. The landscape management plan shall detail maintenance of the landscaping for the active life of the artificial pitch.

Reason: To improve levels of screening between the pitch and the adjacent residential properties and thereby limit the impacts of the development on surrounding residential properties.

8. **Tree Protection**

No development hereby approved shall commence on site until a scheme for the protection of existing trees has been submitted to and approved in writing by the Local Planning Authority which is in accordance with the guiding principles of BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations Section 5.5 and NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) - Operatives Handbook 19th November 2007. The scheme shall detail areas exempt from vehicle movement and storage of materials

The approved scheme shall be adhered to during the construction phase of the development.

Reason: To protect the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality which should be appropriately maintained and protected.

9. **Noise modelling and mitigation**

No development hereby approved shall commence on site until a noise modelling and mitigation report has been submitted to and approved in writing by the Local Planning Authority. The report shall factor in all sources of noise including the spectator's noise, and in addition report any excess noise level above the existing background at the nearest noise sensitive locations. The report shall include but not be restricted to modelling the provision of acoustic fencing to the southern and eastern lines of fencing around the pitch and on the proposed bund feature to assess their impacts on noise reduction. The final scheme of mitigation proposed shall be demonstrated within the report as being successful, demonstrating external noise level about 1 metre from facades of living spaces of the residential properties to be less than 50dB, LAeq,1hour. The numbers of persons on site at any one time (spectators, players and others) shall be limited as detailed within the report and shall be relative to adequate mitigation being achievable.

The final scheme of noise mitigation detailed within the Noise Modelling and Mitigation report shall be installed on site prior to the 3G pitch being brought into use or an alternative timing as detailed within the approved noise mitigation report and shall be retained in place thereafter for the active life of the pitch. The numbers of persons on the site at any one time shall not exceed the maximum as detailed within the approved report.

Reason: In order to ensure suitable mitigation of noise for surrounding residents in view of the nature of the use and proximity of housing, in accordance with the requirements of the National Planning Policy Framework.

10. **Surface Water Scheme**

No development hereby approved shall be commenced on site until a detailed scheme of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The discharge rates from the site will be restricted to the existing

greenfield runoff rates (QBAR value) with 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 and without overflowing into drains or a watercourse. Micro Drainage design files (mdx files) are required to be submitted for approval. 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.

Reason: In order to prevent increased risk of flooding in accordance with the National Planning Policy Framework.

11. **Foul Water Scheme**

No development hereby approved shall be commenced on site until a detailed scheme of foul drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In order to ensure that the site is adequately serviced for the development.

12. **Amplified music and public address system**

There shall be no amplified music played at the pitch or within the amenity block hereby approved. The use of any tannoy or similar system at the pitches shall be restricted for the use of emergency public announcements only and for no other purpose.

Reason: In order to prevent undue noise pollution in accordance with the guidance of the National Planning Policy Framework.

13. **Details of fencing works**

Notwithstanding details hereby approved, a scheme of detailed fencing works shall be submitted to and approved in writing prior to the development commences on site. The fencing shall be installed in accordance with the approved scheme and shall be maintained as such for the duration that the pitches are in use.

Reason: In order to mitigate noise from the use and to ensure the fencing is of a suitable appearance for its location in accordance with the National Planning Policy Framework.

14. **Operation of the amenity block**

The amenity block hereby approved shall not be used for the sale of alcohol and shall only be used in association with team fixtures. The amenity block shall be vacated within 30 minutes of the close of play on the pitch.

Reason: In order to limit the use of the building late at night and prevent undue impact on surrounding residential properties.

15. **Floodlighting**

The floodlighting hereby approved shall be installed and maintained so as to result in no greater luminance than that detailed on approved plan 06 as received on the 4th June 2015.

Reason: To protect residential amenity of surrounding properties in view of their close proximity, in accordance with the guidance contained within the National Planning Policy Framework.

## **INFORMATIVES**

### ***Informative 1: Working Practice***

*The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.*

**Appeals to the Secretary of State**

**Important Note: The applicant's attention is drawn to the appeal time limits indicated below and the need to adhere to the specific time limit for appeal in relation to the application/appeal type**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.\*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:  
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.\*
- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.\*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.\*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

**Purchase Notices**

- If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land to grant it subject to conditions, the owner may claim that the land has become incapable of reasonable beneficial use in its existing state and in a case where planning permission was granted subject to condition, that the land cannot be rendered capable of reasonable beneficial use by the carrying out of the permitted development in accordance with these conditions, and in any case that the land cannot be rendered capable of reasonably beneficial use for the carrying out of any other development for which planning permission has been granted or for which the Local Planning Authority or the Secretary of State has undertaken to grant planning permission.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated requiring the council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**Compensation**

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Part VI of the Town and country Planning Act 1990. By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended) and Article 7(1) of the Town and country Planning General Development Order 1988, where outline planning permission is granted on or after the 1<sup>st</sup> April 1969 of this section it shall be granted subject to the condition that in the case of any reserved matter, application for the approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission and that the development to which the permission relates must be begun not later than whichever is the later of the follow dates:-
  - (i) the expiration of three years from the date of the grant of outline planning permission;
  - Or
  - (ii) the expiration of two years from the final approval of the reserved matters or in case of approval on different dates, the final approval of the last such matter to be approved.
 The attention of developers is drawn to the fact that any failure to adhere to the details of approved plans or to comply with conditions attached to the consent constitutes a contravention of the provisions of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken.