

Planning Committee

A meeting of Planning Committee was held on Wednesday, 1st September, 2021.

Present: Cllr Norma Stephenson O.B.E (Chair), Cllr Mick Stoker (Vice-Chair), Cllr Carol Clark, Cllr Dan Fagan, Cllr Lynn Hall, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Steve Matthews, Cllr Tony Riordan, Cllr Andrew Sherris, Cllr Marilyn Surtees, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley and Cllr Bill Woodhead MBE.

Officers: Simon Grundy, Elaine Atkinson, Helen Boston (F,D and BS); Joanne Roberts (CS and T); Julie Butcher (HR,L&C); Peter Bell, John Devine (MD).

Also in attendance: Cllr Jim Beall, Cllr Ian Dalgarno, Cllr Barbara Inman, Cllr Mick Moore. Applicants, agents and members of the public.

Apologies: None.

P Declarations of Interest

14/21

Councillor Steve Walmsley declared that he may be deemed to be pre - determined in respect of agenda item 5 - 21/1499/FUL - 75 Millbank Lane, Thornaby, TS17 8JS - Application for the change of use from dwelling (C3) to a 3 bedroom residential children's home (C2) and garage conversion as he was the Chair of Thornaby Town Council who had made representations about the application.

**P
15/21**

**20/2759/FUL - Land South of Lockheed Close,
Preston Farm Industrial Estate, Stockton-on-Tees
Erection of class B8 industrial warehouse unit with
ancillary office and associated parking, decked van
storage, van staging areas and associated ancillary
infrastructure, including the provision of a
roundabout on Queen Elizabeth Way**

Consideration was given to a report on planning application 20/2759/FUL.

The application sought permission for the erection of a class B8 industrial warehouse unit (storage and distribution) with ancillary office and associated parking, decked van storage, van staging areas and associated ancillary infrastructure, including the provision of a roundabout on Queen Elizabeth Way.

The site was allocated in the local plan for General employment development focusing on manufacturing and engineering (B2 Use Class) storage and distribution (B8 Use Class) and car sales.

A number of objections had been received to the development which had been fully considered in the report. There were still a number of outstanding matters such as the design of the roundabout and the retaining wall, however these would be considered further during the detailed design process and as part of the Section 278 works.

The proposed development would provide significant economic benefits to the local area with the estimated construction costs being in the region of £35-£40 million pounds. Whilst full details of the job numbers during construction had not been provided, opportunities for local trades and businesses would be available through the appointed general contractor. Once operational, due to the shift

patterns the full-time employees calculation results in a figure of 381, although in reality the facility would require approximately 190 people working at the site, with a seasonal peak of circa 240 employees.

Overall, it was considered that the proposed development was a significant scale and would change the visual landscape of this site especially when viewed from the south of the site, albeit seen against the background of the wider Preston Farm estate. The landscaping proposed would also help screen the building however this would still be a highly visible structure. Nevertheless, the Highways Transport and Design Manager did not object to the principle of the proposals on highway or landscaping grounds.

All associated impacts needed to be weighed against the benefits when considering the scheme. It was considered that although there would be a change in appearance it would be seen in the context of the area which was an industrial/commercial estate. There was a large gap to the south towards Preston Lane and the River Tees and a main road to east all of which created a degree of separation.

The benefits of the scheme would be the development of a long-standing allocation in the local plan and also the level of substantial job creation and investment that the proposal would bring to the area, which would be a significant boost to the local economy.

In weighing the overall planning balance, it was not considered that change to the landscape would be so significant that it would outweigh the benefits of granting planning permission in this case. The application was recommended for approval subject to a number of conditions and a Section 106 Agreement.

Consultees had been notified and the most recent/relevant comments received were detailed within the report.

With regard to publicity, neighbours were notified and comments were received. The comments summarised within the report. Full details of the objections could be found online.

With regard to planning policy where an adopted or approved development plan contains 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 indicate otherwise. In this case the relevant Development Plan was the Stockton on Tees Borough Council Local Plan 2019.

Section 143 of the Localism Act came into force on the 15 January 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 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 Officers report concluded that in determining the application, a balance should be taken between the benefits of the scheme and any harm.

Whilst it was acknowledged that the proposal would result in a change to the landscape given its overall scale, it would also be seen within the context of, and against the background of, the Preston Farm Industrial/commercial area.

The proposals result in socio-economic benefits, which included the development of a long-standing allocation in the local plan and also the substantial job creation and investment that the proposal will bring to the area which will be a significant boost to the local economy.

The impacts of the proposal had been considered against national and local planning guidance and the development as proposed was considered to be in line with general planning policies set out in the Development Plan, was acceptable in terms of highway safety, did not adversely impact on the neighbouring properties, heritage assets, ecological habitat, archaeology, flooding.

It was considered that there were no adverse impacts which significantly and demonstrably outweigh the benefits of granting planning permission in this case and it was recommended that the application be approved with conditions for the reason(s) specified above.

Members were presented with an update report that outlined that since the writing of the original report the conditions had been reviewed. For completeness all of the recommendations were listed within the update report.

Objectors and supporters attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- Welcome the 190 jobs to the area.
 - Concerns over traffic and the impact on Ingleby Barwick.
 - Concerns for local employment.
 - Severe traffic problems will arise during the construction of the new roundabout.
 - A slip road could be created instead of a new roundabout.
 - The speed limit on Queen Elizabeth Way could be cut to 40mph instead of 50mph.
 - The vans could turn left and then go up to the roundabout that already exists and turn back round if they want to head to Ingleby Barwick.
 - The layby that will disappear following the construction of the new roundabout is currently used for parking by fisherman who regularly fish at the River Tees.
 - Visual impact will be detrimental on the local community and the landscaping will not be enough to screen this huge development.
 - The noise impact will be detrimental on neighbouring properties and questions remain over the noise impact assessment that was done.
 - Roe deer and local wildlife will suffer because of the development.
 - Were the other sites that Councillor Ken Dixon outlined ever considered?
 - Welcome the investment in the Stockton area.
 - There will be more light pollution arising from the new development.
 - When the current layby closes people will start parking on Preston Lane to access the River Tees and surrounding nature reserves.
 - The agent for the applicant outlined that they had been working proactively with SBC Planning Officers to ensure that the scheme was acceptable.
- Additional traffic modelling had taken place to confirm that the development was

acceptable to SBC Highways Officers and Highways England. Re-designing had taken place a storage area to enable an increase of the landscape buffer along the southern boundary of the site. Re-design of the access had taken place to enable larger vehicles to travel around the roundabout. Planting would take place at an unenhanced area of the Bowesfield Nature Reserve and Tees Wildlife Trust have confirmed they were happy with the planting. The development will not have a significant impact on the local and strategic road network. The site has already been allocated for employment for over 20 years. Construction will start over the next year. The number of construction workers is expected to rise to 200 during the peak period. Excluding the highways works it is estimated that construction costs will be in the region of £35-40 million. 381 jobs could be created that includes direct and indirect employees. There will also be diver job opportunities.

- This is a massive development far taller than any building on the industrial estate.
- The developer has ignored requests for screening to the south west of the development despite requests from the Planning Department.
- The traffic assessment report focuses on the period 8am to 9am being peak travel period, this ignores that half the vans will be leaving the distribution centre just before or just after peak times and as such weren't included in the traffic assessment report.
- The development doesn't accord with Local Plan Policies SD5 and ENV7 in terms of noise and light pollution.
- The development will not create as many jobs as the applicant has outlined.
- There are far too many outstanding conditions that need to be addressed before the application is approved.
- The development should not have a ground level clearance of 5 metres above Queen Elizabeth Way as the ground level could be reduced which would reduce the impact of the development.
- The van loading area could be enclosed to reduce the noise and light pollution.

Officers were given the opportunity to respond to comments / issues raised. Their responses could be summarised as follows:

- The development is a logistics centre and is the end point where drivers will pick up their parcels and go out and deliver to the wider area.
- The landscaping scheme has been approved with the SBC Senior Urban Designer and changes have been made to get the best scheme possible on the southern boundary.
- The noise report has been fully assessed by the SBC Environmental Health Team and is in accordance with current standards.
- There will not be a significant loss of wildlife habitat as the site is an allocated site that has already got a boundary fence around it.
- In terms of visuals they have been agreed by the SBC Senior Urban Designer and have been fully assessed.
- The light pollution report is available on the SBC website and do accord with best practice guidelines.
- The development is big but that must be balanced against the economic benefits to the area.
- The roundabout will be constructed outside of peak hours. The reason the roundabout is being constructed is that it is a preference over a left in and left out and will reduce impact on both ends of the roundabout using u-turn movements and will be a better speed reducing feature on a 50mph road as

opposed to traffic signals. There is no suggestion to reduce the speed limit. Regarding the fisherman that park in the layby this has been tolerated and SBC can't ask the developer to give up some car parking that is not within their remit.

- The traffic surveys were pre-pandemic but are considered to be robust. The individual assessments were at a number of junctions and covered peak traffic hour but the AIMSUM model covered the entire peak period and measured journey time.
- Any parking issues around Preston Lane can be looked at by the SBC Enforcement Team.

Members were given the opportunity to ask questions / make comments. These could be summarised as follows:

- Sympathy with some of the objections that have been raised but if the application is refused it will then be agreed by the Planning Inspector.
- The site is earmarked for industrial units but not on this scale.
- The jobs will be welcomed by the Borough, but the development shouldn't be built on this site.
- It would have been useful to have the full management plan as it would have given us more detail of the impact on traffic.
- Can sprinklers be conditioned on this building.
- Can there be more screening on the development especially on the south side.
- Can the public right way and parking issues be looked at by SBC officers.
- What is the 11 hectares designated as Preston Farm Industrial Estate in the Local Plan?
- If the speed limit is not reduced on Queen Elizabeth Way the new roundabout will be a potential accident blackspot.
- Is there scope for a TRO on the access points to Ingleby Barwick to 7.5 tonne so that HGVs don't cut through Ingleby Barwick.
- The vans may also cut through Ingleby Barwick.
- Which other sites were considered by the applicant?
- Concerns that some HGVs may cut through Yarm during the night.
- Regarding Lockheed Close and the rest of Preston Farm parking is chaos and the whole estate needs looking at.
- Concerns over the 24-hour nature of the operation and the amount of vehicles during shift change.
- The roundabout is needed due to the amount of traffic.

Officers were given the opportunity to respond to comments / issues raised. Their responses could be summarised as follows:

- Regarding the Operational Management Plan, one was provided to SBC Officers just before the report was written and is broadly acceptable, but the final details have still to be finalised. Shift patterns will try and avoid impact on neighbours, traffic etc.
- Sprinklers is not a condition for planning but it is dealt with by building control department.
- Trees will be planted on the southern part of the site. The tree mix has been agreed.
- The public right of way will only require a slight diversion.
- Regarding the Local Plan, there are two allocations that make up the 11 hectares for Preston Farm.
- Planning Officer was not aware of which other sites have been considered and

it was acknowledged this is a logistical company and they didn't want to cause traffic problems or be stuck in traffic.

- The 24/7 nature of the site is acknowledged. HGVs come onto the site between 11pm and 5am and is usually 4 in and 4 out and this is reflected in the shift patterns.
- Speed limits are not usually used in an approach to a roundabout. The roundabout itself is a speed reducing feature.
- Regarding the TRO for Ingleby Barwick there is already one in place.
- HGVs will in the main be coming from the A66 and not through Yarm.

A vote then took place and the application was approved.

RESOLVED that planning application 20/2759/FUL be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement as detailed in the Heads of Terms below;

1. Time Limit

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

2. Approved Plans

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

Plan Reference Number	Date Received
20120-ASA-XX-ZZ-DR-A-P01-S4 P2	23 August 2021
20120-ASA-XX-ZZ-DR-A-P03	14 December 2020
20120-ASA-XX-M1-DR-A-P04	14 December 2020
20120-ASA-XX-ZZ-DR-A-P06-S4 P1	
20120-ASA-XX-ZZ-DR-A-P13	14 December 2020
	14 December 2020
20120-ASA-XX-ZZ-DR-A-P02-P16	16 August 2021
20120-ASA-XX-ZZ-DR-A-P05-(P5)	28 June 2021
20120-ASA-XX-ZZ-DR-A-P07-(P5)	28 June 2021
20120-ASA-XX-ZZ-DR-A-P08-(P6)	28 June 2021
20120-ASA-XX-SI-DR-A-P09	
20120-ASA-XX-ZZ-DR-A-P10-P7	14 December 2020
	16 August 2021
20120-ASA-V4-ZZ-DR-A-P12-S4 – P4	28 June 2021
20120-ASA-XX-ZZ-DR-A-P11-P8	16 August 2021
20120-ASA-XX-ZZ-DR-A-P15-P4	16 August 2021
P.016448-RED-XX-XX-DR-E-2301-A	28 June 2021
5884-JPG-XX-XX-DR-D-1400-S4-P07	16 August 2021
9757-L-01H	16 August 2021
5884-JPG-SW-XX-DR-C-1201-S4-P10	23 August 2021

3. Materials

Prior to installation of external facing materials samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved

details.

4. Boundary Details

Notwithstanding the proposals detailed in submitted plans, prior to occupation of development, details of the enclosure along the Queen Elizabeth Way frontage shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

5. Arboricultural Method Statement and Tree Protection Plan

Notwithstanding the approved plans no development shall commence until an Arboricultural Method Statement and Tree Protection Plan is approved in writing by the Local Planning Authority. This must be in close accordance with:

1. BRITISH STANDARD 5837:2012 Trees in relation to design, demolition and construction – Recommendations
2. BRITISH STANDARD 3998:2010 Tree Work - Recommendations
3. NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007

Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

6. Soft Landscape Management Plan

No development shall commence until full details of proposed soft landscape management has been submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include, long term design objectives, management responsibilities and maintenance schedules, replacement programme for all landscape areas including retained vegetation, maintenance access routes to demonstrate operations can be undertaken from publicly accessible land, special measures relating to the time of year such as protected species and their habitat, management of trees within close proximity of private properties etc. This information shall be submitted to and approved in writing by the Local Planning Authority.

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

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

7. Landscape Details for the Roundabout

Notwithstanding the proposals detailed in the submitted plans, prior to the commencement of work on the proposed roundabout, details of the landscape treatment of the roundabout shall be submitted to and approved in writing by the Local Planning Authority. A high quality treatment will be delivered including hard and soft landscaping which reflects the quality of other similar features

within Preston Farm Industrial Estate.

8. Retaining Wall

Prior to commencement of work on the retaining walls to the entrance, full construction details of the wall, including appearance, materials, safety and drainage measures shall be submitted to and approved in writing by the local planning authority. Work shall be undertaken in accordance with the approved plans.

9. Surface Water Drainage Scheme

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

- I. Detailed design of the surface water management system;
- II. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- III. A management plan detailing how surface water runoff from the site will be managed during the construction phase;

10. Drainage Management Plan

The building hereby approved shall not be brought into use until a Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements. Any changes to the drainage management plan should be submitted to and approved in writing by the Local Planning Authority

11. Drainage – NWL

Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Proposed Drainage Layout" dated "17/06/2021". The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 9301 and ensure that surface water discharges to the surface water sewer at manhole 9201. The surface water discharge rate shall not exceed the available capacity of 18.7l/sec that has been identified in this sewer.

12. Roundabout – Queen Elizabeth Way

No development shall commence until a scheme for off site highways works, including the provision of a roundabout on Queen Elizabeth Way and associated infrastructure works has been submitted to and approved in writing by the local planning authority. The approved works shall be completed in accordance with the local planning authority's written approval and shall have been certified in writing as complete on behalf of the Local Planning Authority before the site is brought into operation; unless alternative arrangements to secure the specified works have been approved in writing by the Local Planning Authority.

13. Construction Environment Management Plan (CEMP)

The development shall be carried out in accordance with the submitted

Construction Environment Management Plan (CEMP) by isg, received on the 14th December 2021.

14. Operational Management Plan

The building(s) hereby approved shall not be occupied until an Operational Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Operational Management Plan shall specify the proposed shift patterns and predicted trip generation for the building giving full consideration to the figures within the Transport Assessment which have been assessed and accepted. All buildings within the site shall operate in accordance with the approved Operational Management Plan. No deviation shall be made from the approved Operational Management Plans, including the shift patterns, without the prior written approval of the Local Planning Authority.

15. Travel Plan

Prior to occupation of the building hereby approved the owner and/or the occupier of the building shall submit a user specific travel plan to the Local Planning Authority for written approval. The user specific travel plan should control the management of the site during operation from a traffic management and sustainable travel choices perspective. This should also include measures associated with the demand-led bus service for employees where available and appropriate.

Evidence of each travel plans implementation over a minimum period of 12 months from first implementation shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition. Each travel plan shall be in place for the full time the end user occupies either part or all of the buildings hereby approved. The Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

16. Cycle Parking

The cycle parking facilities as shown on the approved plans shall be provided prior to the building being occupied and be retained thereafter.

17. External Lighting

The external lighting shall be implemented in accordance with the external lighting details set out in Lighting Impact Assessment dated 11 June 2021 (REF P.016448 – Middlesbrough) by Engie. In addition, the lighting on the top of the vehicle deck will be switched off during night time hours of 12 midnight to 6am' with the exception of emergencies and for maintenance purposes.

18. Noise Mitigation

The site shall be operated in accordance with the Operational Noise Management Plan contained in the Noise assessment by Gleave Partnership (October 2020) and the mitigation outlined in the Report shall be installed prior to occupation of the units (a 4.0m barrier along the northern and eastern boundaries of the HGV service area).

19. Air Quality

The site-specific mitigation measures as detailed in Section 7 of the Air Quality Assessment by Gleave Partnership (December 2020) shall be implemented during construction phase.

20. Ecology

Work shall be undertaken in complete accordance with the recommendation and mitigation as detailed in Section 3 and 4 of the Ecological Impact Assessment Report dated 24th February 2021 by Tyler Grange.

21. LEMP

Work on the off-site compensation land shall be broadly in accordance with the Landscape and Ecological Management Plan (LEMP) (Report No. 13543_R03b_JD_HM TG dated 26th March 2021), unless otherwise agreed, in writing, by the Local Planning Authority.

22. Energy Statement

The development hereby approved, shall be built out in full accordance with the recommendations of the Energy statement (P.016448 - DZM1B - Energy Statement_R002.docx) and BREEAM Pre Assessment Strategy Report dated 27th November 2020 Revision R001

23 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. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

24 Construction Working Hours

External works in connection with the construction of the development shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays, only between 0900 hours and 1300 hours on Saturdays and there should be no audible intrusive works at any time on Sundays, Bank Holidays or Public Holidays.

Deliveries should be undertaken between 0800 hours and 1800 hours Monday to Saturday where reasonably possible.

25 Use of Building

The development hereby approved shall only be used/occupied for the B8 storage and distribution (with ancillary office floorspace) of the Town & Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and for no other purpose.

26 Electric Vehicle charging infrastructure

Prior to the installation of electric vehicle charging infrastructure, details of the electric vehicle infrastructure shall be submitted and approved by the local planning authority. The electric vehicle infrastructure shall be implemented in accordance with the approved details.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

NWL Informative

We can inform you that public sewers cross the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. For further information is available at <https://www.nwl.co.uk/services/developers/>

Informative - Waste Management.

All materials re-used or imported to site should follow the CL:AIRE 'Definition of Waste: development Industry Code of Practice' (v2, March 2011 to demonstrate that re-use of excavated or imported soils would not pose an unacceptable risk to human health or controlled waters receptors, by documenting how all of the materials to be excavated during the proposed site preparatory and remediation earthworks are to be dealt with, including suitability for use, quantities of materials and verification.

No material other than those classified as 'inert' under the WAC testing. The production of a Materials Management Plan (MMP) should be implemented in accordance with the CL:AIRE protocol initiative to assist the enabling works by facilitating the on-Site re-use of excavated soils.

Advisory – Environment Agency Informative

We recommend that developers should:

1. Follow the risk management framework provided in 'Land contamination: risk management' when dealing with land affected by contamination
2. Refer to our 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. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
4. Refer to the contaminated land pages on gov.uk for more information

Informative : Construction Working Hours

Should works need to be undertaken outside of the conditioned hours, or piling activities be required not previously agreed by the local authority, the developer should apply for consent under Section 61 Control of Pollution Act 1974. The prior consent shall show compliance with the recommendations set out in BS5228:2009+A1:2014 'Code of practice for Noise and Vibration Control on Construction and Open Sites' including measures to control and limit noise emissions and vibration levels from piling.

Informative: Drainage Maintenance and Management Plan

Should include the following:

- Introduction, site description, total site area, total impermeable/permeable area, storage volume/s provided in each SuDS component/s including pipe network, agreed discharge rate and location, state all critical surface water infrastructure, description of the final surface water system is to operate and be managed through the site;
- SuDS Maintenance Requirements including a management statement to outline the management goals for the site and required maintenance, a breakdown of typical maintenance requirements and their frequency for each component/s including pumping stations;
- Below-ground SuDS the manufacturer or designer should provide a copy of the installation and maintenance requirements (include as an appendix);
- Details of who is responsible for the maintenance and management of each component/s for the final Surface water management scheme. (Name, Company Address, Email Address, Telephone Number and emergency 24hr call/out of hours telephone number;
- Landownership Details – who will remain the landowner. Include Name, address, telephone number and e-mail;
- Funding arrangements – details of how the responsible owner will be funded to undertake the management and maintenance of the SuDS;
- Life expectancy and replacement costs and how any replacement costs will be funded;
- Inspecting – a full site inspection of all SuDS shall be undertaken in accordance with the specified frequency. Details of the site inspections should be recorded on the inspection log; and
- Appendices – Overall Drainage Layout drawing, a drawing highlighting all critical surface water infrastructure that is to be maintained, highlighting maintenance access points, easements and outfalls. Manufacturer's installation and maintenance specifications for proposed below-ground storage and pumping stations. Exceedance route drawing.

Informative: Contamination

1. Foundations are likely to come into contact with made ground and the underlying groundwater, which shows slightly elevated levels of sulphate and fluoranthene. This is believed to be due to natural ground conditions. On this basis it is recommended that concrete should be designed to Aggressive Chemical Environment for Concrete (ACEC) Design Sulphate Class DS-1 and ACEC Class AC-1.
2. During development of the site, all site workers should remain vigilant to the possible risk of encountering areas of potentially contaminated material, and appropriate use of PPE for construction personnel.

Informative: Operational Management Plan

The Operational Management Plan should, as a minimum, include information on:

- Traffic generation, in the peak hours and daily movement, including:
- Staff trips
- HGV trips
- Staff numbers.
- Shift patterns.
- Operational hours.
- How the access will be controlled to prevent unauthorised access to the site without impacting on the highway network.

Arboricultural method statement

Specific issues to be dealt with in the Arboricultural method statement and tree protection plan:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA) as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the installation of boundary treatment works within the RPA.
- e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification.
- f) a specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- g) a specification for scaffolding and ground protection within tree protection zones.
- h) any special measures for veteran and ancient tree protection and management

HEADS OF TERMS

Highways

- Financial contribution to the cost of highways works on Lockheed Close
- Construction of new roundabout at the site entrance on Queen Elizabeth Way and associated infrastructure/drainage works;
- Financial contribution towards the cost of introducing the Travel Plan together with the cost of ongoing monitoring.

Biodiversity

- Offsite biodiversity mitigation works on Bowesfield Nature Reserve.

Employment and Training

- To enter into a Local Employment and Training Agreement.

**P
16/21** **21/1478/VARY - Thorpe Beck Farm, Durham Road,
Thorpe Thewles - Section 73 application to vary
condition no2 (Approved Plans) and no4
(Landscaping) of planning approval 18/2696/FUL -
Application for the erection of 31 dwellings with
associated means of access, parking, and
landscaping.**

Consideration was given to a report on planning application 21/1478/VARY.

This was a section 73 application to vary the approved plans and the landscaping plans for the site. The proposed changes were to allow the incorporation of retaining walls, replacement landscaping and the deletion of a footpath link.

Six letters of objection had been received. The site was allocated for housing in

the local plan and had approval, therefore the principle of development had been established. All other matters were considered to be acceptable in planning terms and there were no sustainable planning reasons to refuse the application.

In view of the planning merits of the case, the proposal was therefore considered to be acceptable and was recommended for approval subject to the recommendation below;

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

With regard to publicity neighbours were notified and comments were received, the comments were summarised within the report and full details of the objections could be found online.

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 indicate otherwise. In this case the relevant Development Plan was the Stockton on Tees Borough Council Local Plan 2019.

Section 143 of the Localism Act came into force on the 15 January 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 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.

Objectors and supporters attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- No objection to the development. The village needs new development but the issue is the poor way the developer has been working with residents and the Planning Department. There have been lots of reiterations of the plans and the green belt at the bottom of the existing residents' properties has been removed.
- Residents have tried to work with the developer but he is not interested and he ignores what the Planning Department advises.
- Plants and support structures have been removed from gardens.
- Last August at least half of the substantial trees were removed without warning or consultation. The developer was told to stop because he didn't have permission to remove the trees but this was ignored.
- The developer is trying to take land from neighbouring properties.
- People can now look directly into existing residents' bedrooms.
- There is an on-going boundary dispute and lawyers are involved.
- The development has not been built in accordance with the approved plans.
- The agent for the applicant outlined that the development has already got approval and this application only seeks some minor alterations to the scheme. The changes to the scheme have been necessitated following further detailed investigation of the site levels that took place following vegetation clearance. The applicant acknowledges that some of the vegetation that should have been

retained has been removed but following work with SBC Officers a scheme has been developed that will provide a better quality buffer along the boundary. The neighbour objections have been noted but mainly relate to issues outside planning remit. Notwithstanding this the applicant has engaged with residents and the land registry office to try and reach agreement. Appropriate strong boundary will be provided that protects the amenity for existing and new residents. Appropriate safeguards to ensure that planting takes place.

Officers were given the opportunity to respond to comments / issues raised. Their responses could be summarised as follows:

- Regarding the land dispute, this is not something SBC Planning Officers would get involved in. Regarding the removal of the trees, the applicant has stated that he will replace the trees with better quality trees.
- Permitted development rights have been removed on this development so no extensions can be done without the agreement from the Planning Department.

Members were given the opportunity to ask questions / make comments. These could be summarised as follows:

- If a twenty-foot tree is removed it should be replaced with a twenty-foot tree.
- Residents have caught out the developer.
- Concerns over the hedge and visibility splay.
- If the application is approved the conifers should remain.
- Sympathy with local residents, the planning process should be fair and balanced for residents.
- The application should be deferred until the land boundary dispute is resolved.

Officers were given the opportunity to respond to comments / issues raised. Their responses could be summarised as follows:

- Regarding the land dispute, SBC has not been informed there is a formal land dispute that needs resolving. The developer has said he is not going to challenge the fence boundaries where it appears that local residents have made a land grab into the development site so those fences will remain. To defer the application for a land dispute that we don't know the status of and we don't know how long it is going to take to resolve would not be reasonable. Members could look at imposing a condition notwithstanding the landscaping plans the conifers are to remain. If the developer then finds that they can't produce a landscaping scheme as has been approved they will have to come back to SBC Planning Department for the application to be amended. A condition could be added to the scheme to reflect the situation. Members can only consider the amendments to the scheme and that is all Members can consider.

Councillor Lynn Hall moved deferment to the application but following legal advice withdrew the motion.

Members agreed that a condition should be added in that the existing conifer trees should not be removed from the site.

A vote then took place and the application was approved.

RESOLVED that planning application 21/1478/VARY be approved subject to the following conditions and informatives;

01. Approved Plans

Save as otherwise amended in this decision notice, the development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date Received
454_001 REV B	25 May 2021
454_003 REV W	2 June 2021
454_011 REVC	2 June 2021
454_015 REV A	2 June 2021
454_012 REV C	2 June 2021
454_002 REV AL	2 June 2021
W20497-WBE-16-XX-DR-S-3000-P01	2 June 2021
3691-2E	9 June 2021

02. Scope of the consent

Nothing in this permission other than the variation of condition No. 2 (approved plans) and 4 (landscaping in relation to the plots on the northern boundary only) of planning approval 18/2696/FUL shall be construed as discharging the conditions or obligations attached to that permission.

03. Landscaping

The landscaping as shown on plan 3691/2 Rev E received 9 June 2021 shall be implemented in accordance with that plan (save that the existing conifer hedge shown to be removed on plan 454_PL 015 Rev A shall be retained and the proposed trees shown in that area relocated accordingly in a location to be agreed with the local planning authority) in the first planting season following completion of the plot to which it relates. In addition to the planting as proposed an additional 10 trees shall be provided, with the species and location to be agreed on site with the local planning authority.

All trees shall be planted in the first planting season following completion of the plot to which that planting relates and prior to occupation and shall be retained and maintained for a minimum period of 25 years from practical completion of the development.

There shall be no excavation or raising or lowering of levels within the root protection area of retained trees, shrubs or hedges, unless agreed in writing by the Local Planning Authority. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans. Any tree, shrub or hedge or any tree, shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

04. Conifer hedge to the rear of 3 Wynyard Court

Notwithstanding the submitted plans, the conifer hedge to the rear of 3 Wynyard Court (shown to be removed on plan 454_PL 015 rev A) shall be retained and incorporated into the landscaping scheme as proposed. The conifer hedge shall be retained for the lifetime of the development unless otherwise agreed in writing with the local planning authority. Should any of the conifer trees die, be uprooted or destroyed or becomes seriously damaged or defective must be

replaced by another of the same size and species to be agreed with the local planning authority.

05. Buffer Zone

The buffer zone between the development site and Wynyard Woodland Park shall be retained, including any planting within this area and no development shall take place in this area without the prior written approval of the local planning authority. The fencing between the development and buffer zone shall be retained for the life of the development.

06. Hedgerow to the West

The hedgerow and planting to the west of the site, alongside plots 1 - 5 and plot 9 shall be retained and maintained for a minimum period of 25 years from practical completion of the development. There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees, shrubs or hedges, unless agreed in writing by the Local Planning Authority. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans. Any tree, shrub or hedge or any tree, shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

07. Permitted Development Rights

Notwithstanding the provisions of classes A, AA, B, C, D and E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority

08. Permitted Development Rights means of enclosure

Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), unless shown on the approved plan (454-003) no gates, fences, walls or other means of enclosure shall be erected between the front or side wall of any dwelling which the curtilage of the dwelling fronts or abuts without the written approval of the Local Planning Authority.

09. Removal of PD rights - no garage conversions;

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2015 (or any order revoking and re-enacting that Order), no garages shall be converted into part of the house or incidental uses without the prior written consent of the Local Planning Authority.

INFORMATIVES

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and

imposition of appropriate planning conditions.

**P
17/21** **21/1499/FUL - 75 Millbank Lane, Thornaby, TS17 8JS -
Application for the change of use from dwelling (C3) to
a 3 bedroom residential children's home (C2) and
garage conversion**

Consideration was given to a report on planning application 21/1499/FUL.

The application site was a 3 bedroom two storey semi detached dwellinghouse within the defined development limits of Thornaby, approximately 240m west of Thornaby Town Centre.

The application was seeking planning permission for the change of use of No.75 Millbank Lane, Thornaby a three bedroom C3 dwellinghouse to a children's home C2, for 3 children. The site benefits from off street parking and a rear amenity space.

The proposed children's home would provide accommodation for a maximum of three children between the ages of 8 and 18 years with 24 hour adult support, provided on a shift basis. Two members of staff would be present at the premises with an Ofsted registered manager living close by. The only external alteration to the property would be the replacement of a garage door with a window.

The internal living accommodation, with the exception of the garage conversion to provide a staff room, would remain as the existing arrangements, the relationship with the adjoining dwelling would therefore remain.

Following the consultation process there had been 13 No. letters of objection received. Thornaby Town Council and Councillor Ian Dalgarno Councillor Mick Moore had also objected. The objections related to highway issues including increase in the volume of traffic and off-street parking, noise, privacy, anti-social behaviour/crime, impact on character and appearance of the street scene and the community, not suitable location for the use and devaluation of properties.

There had been no objection raised from any of the technical consultees consulted.

Given the scale of the proposed use with a maximum of three children, with two members of staff, the minor physical alteration, the proposal was not considered to have a significant adverse impact on the amenity of the neighbour's properties and would not result in a significant impact on highway safety. The proposed development would ensure an acceptable form of development which would be compliant with the principle of the relevant policies of the Local Plan and paragraphs of the NPPF.

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

Publicity had been given to the planning application through a site notice and neighbour notification letters. A total of 13 letters of objection had been received

and the comments were summarised 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 for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan was the Stockton on Tees Borough Council Local Plan 2019.

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

Objectors and supporters attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- Great potential for the proposal to go wrong and disastrous consequences for neighbours and their quality of life.
- Issues will not easily be resolved and the burden of proof will lay with the families of neighbouring properties.
- Any problems will create conflict with all the parties involved.
- Sharing a bedroom walls with this proposal will affect the quality of sleep for residents.
- The Police are too stretched to deal with any potential issues at the home.
- The property doesn't have sufficient car parking for this proposal.
- The report states it will not be a home for criminals, children with drug or alcohol problems or mental problems, is this something that can be guaranteed by the Planning Officer that no children with such issues can be placed in this home?
- A recent approval has been given on Thornaby Road, this is 447 metres away from 75 Millbank Lane, is there a need for such a concentration of children care home provision.
- The property that has been detailed in the report in Middlesbrough is not comparable to the one at Millbank Lane as it is a much bigger property.
- 75 Millbank Lane is not a suitable property for this proposal.
- Slides were shown to the Committee by an objector.
- 75 Millbank Lane is a very small semi-detached rented property and is unsuitable to convert to a children's home which will house 3 children aged between 8 and 18 years old.
- 2 carers working shifts to provide cover. The garage will be converted into a staff room. The third bedroom is a box room and hardly big enough for a single bed.
- Outside play area will be restricted to a small rear garden.
- Fully support children's homes being cited in local communities as they children the best chance to live and be part of the community but the homes should be fit for purpose but the property on Millbank Lane doesn't compare size wise to other children's homes and therefore the application should be refused.
- A letter from an objector was read to the Committee with the approval of the

Chair. The letter outlined that parking was insufficient, the property is too small and doesn't provide adequate space for 3 young people in care, the children will not be able to have space away from others if they are struggling, children at the home could be at high risk from drug, alcohol or mental problems, when were the local children's services consulted on the application, the LSCB have a duty to know all the children's homes provisions in their area and what additional resources they may need to support them, it will be highly likely that residents of the home will be from outside the Borough and this will have a direct impact on local safeguarding needs, there is a recent trend of care home providers nationally purchasing properties at lower cost living areas and placing out of area children in these areas, there is no mention of any additional support such as mental health being in place at this home and therefore are they planning to use local provisions that are in place, these provisions are already stretched, is it right that all profit organisations provides further cost on local services.

- The agent for the applicant outlined that the number of children has gone 28% in the last decade and therefore high-level quality care service will need to be provided for these children, the property at 75 Millbank Terrace will be a suitable accommodation for children, the children at the home will be empowered and nurtured, as a service they will support and encourage the young people to achieve their individual goals by feeling cared for and have sense of self-worth at a homing environment, all the bedrooms have enough space for the young people to have a comfortable and personalised own room, care and accommodation will be provided for up to 3 children aged between 8 and 17 years old with social and emotional behavioural difficulties, an impact risk assessment will be installed to ensure all children are screened to meet the carers criteria and that their individual needs are met.

Officers were given the opportunity to respond to comments / issues raised. Their responses could be summarised as follows:

- What has been applied for is a C2 Use not a C2A Use therefore it is not a criminal or psychological institute.
- In terms of parking, Highways Officers have raised no objections to the proposal.
- In terms of activity it is acknowledged that there will be a degree of activity associated with the proposal but it is not considered that the level of 3 children and 2 staff will outweigh what would happen in a 3 bedroom family home.
- Regarding the home in Middlesbrough it is a larger home but it does however have adjoining walls.
- Each child will be assessed to make sure the property is suitable.

Members were given the opportunity to ask questions / make comments. These could be summarised as follows:

- Thornaby Town Council is not against providing homes for children which has been suggested by some commentators.
- Redcar Road in Thornaby was two semi detached properties that were joined together, the children had room to grow at this property.
- Thornaby Town Council objected to this proposal not because of the children that would be placed there but their members felt that the children deserved better than being put in a property that isn't adequate. Some of the children will have emotional difficulties.

- The applicant should seek a property like Darlington Road or Thorpe Thweles.
- This property is not fit for purpose and is too close to Thornaby town centre.
- One of the bedrooms will be too small and the house just isn't big enough.
- Fully support children's homes in the Borough but this property isn't suitable.
- There are similar size children's homes in the Borough.
- The box room has been enlarged.
- A precedent has already been set in the Borough for homes of this size.
- There is a massive green space near the property for the children to play.
- It is a family and the children will be looked after as a family and the care will be most important not the size of the property.

Officers were given the opportunity to respond to comments / issues raised. Their responses could be summarised as follows:

- A condition couldn't be imposed regarding Councillors being involved in the running of home that would be an entirely voluntary agreement with the people who will be running the home.
- The home could easily house 3 children and 2 carers and by putting the staff room separate in the converted garage it does enable the full dwelling to be used as part of this home for the children.

A vote then took place and the application was approved.

RESOLVED that planning application 21/1499/FUL be approved subject to the following conditions and informatives below;

01 The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number	Date Received
SBC0002	26 May 2021
NTP/75MILLBANK/003 A	3 June 2021
TQRQM21139104809799	26 May 2021
NTP/75MILLBANK/002A	3 August 2021

02 The premises shall be used for a three person children's home and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (or any order revoking or re-enacting that order with or without modification), without planning permission being obtained from the Local Planning Authority.

03 Parking Spaces

Prior to the occupation of the development hereby approved the additional parking spaces and associated hardstanding as demonstrated on the submitted plans drawing No. TQRQM21139104809799 received by the Local Planning Authority on the 26 May 2021 shall either be constructed from porous / permeable materials or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of this premise. These shall be in place prior to occupation and shall thereafter be retained for their intended purposes.

04 Shift Pattern

The application hereby approved shall be operated in accordance with the submitted shift pattern received via email by the Local Planning Authority on the 23 August 2021.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

Informative: Effective Management

The operator is advised to work alongside Cleveland Police and other safeguarding partners to comply with the requirements of the multi-agency protocol on runaways and vulnerable people missing from home or care. Effective management, staffing and procedural arrangements should be in place to prepare for potential missing episodes and management should take all possible measures to protect those at risk and work with the police to ensure a quality early risk assessment takes place. The operator should also work with the police and their residents on effective interventions to prevent cared for residents repeatedly going missing from care.

Informative: Dropped kerb

The applicant should contact Care for Your Area (01642 391959) regarding widening the dropped vehicle crossing to serve the widened drive.

**P
18/21** **21/0118/COU - The Mile House, Durham Road, Stockton-on-Tees - Change of use of existing public house to 1no retail unit (E) and 1no coffee shop (E) to include drive thru lane with associated car and cycle parking.**

Consideration was given to a report on planning application 21/0118/COU.

The application site related to a former Public House known as The Mile House which was located on Durham Road, one of the main northern approaches into/out of Stockton town centre.

The application sought a change of use from the existing public house to create one retail unit (Use Class E) and one coffee shop (Use Class E) which would include a drive thru lane with associated car and cycle parking. Following the previous appeal being dismissed, this application omitted the separate drive thru building which would now be incorporated into part of the existing building.

A series of external alterations were also proposed which included, new openings and installing a grey coloured render to the ground floor of the building.

However, as a result of perceived delays in the determination of the application, the applicant had appealed on grounds of non-determination. Consequently, the determination of the application now rested with the Planning Inspectorate and the Local Planning Authority were required to provide an indication of what their

recommendation would have been.

Although as set out within the report above, elements of the proposed application were acceptable in planning terms and would overcome the previous reasons for refusal. There was an objection to the proposed development from the Highways, Transport and Design Manager. The areas of concern related to limitations with pedestrian manoeuvrability/circulation through the site; acceptability of the access/parking layout; and lack of evidence to demonstrate that the drive thru lane can accommodate sufficient vehicles without obstructing the access into the site.

Given the appeal on non-determination, there was no longer the option of seeking further information/revisions. Consequently, there were significant concerns over the deficiencies of the layout with regards to pedestrian manoeuvrability and potential implications for the free flow of traffic on the highway network. Consequently, it was recommended that the Local Planning Authority be minded to refuse the application for those reasons set out in the report.

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

With regard to publicity, neighbours had been notified and the comments that had been received were set out within the report. A total of seven objections had been received to the application.

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 indicate otherwise. In this case the relevant Development Plan was the Stockton on Tees Borough Council Local Plan 2019.

Section 143 of the Localism Act came into force on the 15 January 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 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 Officers report concluded that although elements of the proposed application were acceptable in planning terms and would overcome the previous reasons for refusal. There was an objection to the proposed development from the Highways, Transport and Design Manager. Given the appeal on non-determination, there was no alternative choice but to raise significant concerns over the deficiencies of the layout with regards to pedestrian manoeuvrability and potential implications for the free flow of traffic on the highway network and highway safety.

Consequently, it was recommended that the Local Planning Authority be minded to refuse the application for those reasons set out in the report.

Objectors and supporters attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- Support for the recommendation, prominent landmark site that is now an eyesore and local residents want the site developed but this proposal is not appropriate. The junction is already very busy and this development would cause many problems.
- There is a close proximity to St Gregory's School which gets extremely busy during school drop off and pick up times.

Members were given the opportunity to ask questions / make comments. These could be summarised as follows:

- Not against retail on this site but not a drive-thru.
- The junction is very busy and the application will cause further problems.
- The site is an eyesore at the moment and the application should be approved with conditions.
-

Officers were given the opportunity to respond to comments / issues raised. Their responses could be summarised as follows:

- In terms of the layout of the site, the drive-thru lane can accommodate about 6 vehicles and then a section of the layout between the entrance and the drive thru-lane and the access to the car park is about 20 metres so can fit 4 cars so that would 10 cars in a que and then anything further would impact on the highway. There are further issues within the layout of the proposal including conflict with the pedestrian movement.

A vote then took place and members agreed with the officer's recommendation.

RESOLVED that the Planning Inspectorate be advised the Local Planning Authority were minded to refuse planning application 21/0118/COU for the following reason(s):-

Pedestrian and vehicular manoeuvrability;

01. In the opinion of the Local Planning Authority, insufficient information has been provided to satisfactorily demonstrate that the proposed layout provides acceptable levels of pedestrian and vehicular manoeuvrability through and around the site, thereby resulting in a high potential for pedestrian and vehicular conflict to the detriment of highway safety, contrary to policies SD8(1f) and TI1(12) of the adopted Stockton on Tees Local Plan and paragraphs 110 and 112 of the National Planning Policy Framework.

Congestion and the free flow of traffic;

02. In the opinion of the Local Planning Authority, insufficient information has been provided to satisfactorily demonstrate that sufficient space exists within the site to accommodate vehicles queuing for the 'drive-thru' resulting in vehicles being unable to access the site and causing congestion on the highway network, to the detriment of the free flow of traffic and highway safety, contrary to policies SD6(2) and SD8(1f) and of the adopted Stockton on Tees Local Plan and paragraph 110 of the National Planning Policy Framework.

