

Planning Committee

A meeting of Planning Committee was held on Wednesday, 23rd November, 2022.

Present: Cllr Mick Stoker(Chair), Cllr Carol Clark, Cllr Dan Fagan, Cllr Lynn Hall, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Steve Matthews, Cllr Tony Riordan, Cllr Marilyn Surtees, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley, Cllr Bill Woodhead MBE, Cllr Barry Woodhouse

Cllr Maurice Perry Substituted for Cllr Andrew Sherris for item 21/2925/FUL Mount Leven Farm, Leven Bank Road, Yarm and left the meeting after that item.

Officers: Julie Butcher, Sarah Whaley (D o CS), Stephanie Landles (DA&H), Joanne Roberts, Sarah Wood (D o CS,E&C), Simon Grundy, Helen Boston, (D o F,D&R),

Also in attendance: Cllr Louise Baldock, Cllr Mohammed Javed, Cllr Norma Stephenson, Applicants, Agents, Members of the Public

Apologies: Cllr Andrew Sherris

P Evacuation Procedure

31/22

The Evacuation Procedure was noted.

P Declarations of Interest

32/22

There were no declarations of interest.

P Planning Protocol

33/22

The Protocol was noted.

P 21/2925/FUL

34/22

**Mount Leven Farm, Leven Bank Road, Yarm
Erection of 215no. dwellinghouses with associated infrastructure.**

The Chair requested that this item be deferred to enable Planning Committee Members to seek additional information relating to the Planning Protocol and reasons for refusal.

At the request of a member of the committee it was confirmed that the application had been submitted by Mandale Poperties.

RESOLVED that item 21/2925/FUL Mount Leven Farm, Leven Bank Road, Yarm be deferred to the Planning Committee meeting scheduled for 21st December 2022.

P 22/1907/VARY

35/22

**Farooq E Azam Mosque and Islamic Centre, Bowesfield Lane,
Stockton-on-Tees
Section 73 application to vary condition no7 (amplification equipment) of
planning approval 04/3691/FUL -
Erection of New Mosque with
associated carparking and landscaping (demolition of existing building)**

Consideration was given to planning application 22/1907/VARY, Farooq E Azam Mosque and Islamic Centre, Bowesfield Lane, Stockton on Tees.

The application site was the Farooq E Azam Mosque and Islamic Centre which was located on Bowesfield Lane, within the Parkfield area of the Town.

In 2004, Planning permission was granted for a new Mosque to be constructed (ref; 04/3691/FUL).

The Officers report at that time set out that the call to prayer would be via an internal PA system with no external calls via amplification. A planning condition (condition 7) sought to control the use of amplification equipment.

Planning approval was now sought under section 73 of the Planning Act to vary condition 7 (amplification equipment) to allow for the 'Azan' (also known as an 'Adhan') prayer to be broadcast on Fridays between 12 and 2pm.

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

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

The planning policies and material planning considerations that were relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that as detailed within the report, the impacts on amenity were the main material planning consideration and with respect to amenity it was the balance between the right to the religious practice of publicly announcing the Azan/Adhan through amplification and the right of those living nearby to enjoy their home.

Very careful consideration had been given to the application and the likely noise effects arising from the proposals. In particular the occurrence of the amplified call to prayer, its duration and associated time. In weighing up those considerations, it was considered that the amplified call to prayer would be perceived to be observed between 'present and not intrusive' and 'present and intrusive' depending on the sensitivity of the receptor.

In line with planning practice guidance the impacts of 'present and intrusive' noise should be mitigated to a minimum and a number of planning conditions were recommended to achieve those aims and strike an appropriate balance. Subject to those conditions it was recommended that the application be approved for the reasons specified within the main report.

With the agreement of the Chair, the Planning Committee were presented with a video recording of an example of the proposed call to prayer.

Ward Councillors Louise Baldock and Mohammed Javed attended the meeting and were given the opportunity to make representation. Their comments could be summarised as follows:

- Councillors Louise Baldock and Mohammed Javed fully supported the

application.

- The call to prayer was compared to church bells ringing on a Sunday calling Christians to worship.
- The call to prayer from the mosque would be for 2 minutes only, on a Friday between 12:00 and 2:00pm, unlike Church Bells which rang on Sundays and could last from 30 minutes to 1 hour which was considerably longer than what was being proposed.
- The call to prayer was also compared to the Stockton Flyer which played its sound every day and could be heard across Stockton Town Centre.
- The Mosque was close to the majority of residents who would attend the mosque for prayer.
- As well as support for the application a number of objections had been received, some of which had been racist and some which had been submitted from people living outside of the Stockton area, who wouldn't possibly be able to hear the call to prayer.
- It was felt that should the application be approved; the Muslim community would be uplifted by the call to prayer on a Friday.

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

- One Member stated that he had received more complaints from bell ringing than call to prayer in his ward.
- Clarity was sought relating to the National Planning Practice observe effect levels, in terms of 'Present and not intrusive' which showed 'no observed adverse effect' and 'Present and intrusive', which showed 'observed adverse effect, full details of which were contained within the main report at Appendix 1. Officers were asked where the midway house was between the two.
- In terms of noise mitigation, Members asked that due to the application requesting noise amplification, how would this be able to be reduced to a minimum, and how would noise mitigation be achieved?
- Members asked if the video which was played at the beginning of the meeting be the same as what would be played if the application was approved in terms of noise. The video also played for 3 to 4 minutes however this application stated the call to prayer, should it be approved, be no more than 2 minutes, which was it?
- The proposed call to prayer would not be intrusive and was for only 2 minutes once a week.
- Some Members questioned the decision they were being asked to make in terms of amenity and the balance between the right to religious practice of publicly announcing the Azan/Adhan through amplification, and the right of those living nearby to enjoy their homes.

- Questions were raised relating to whether religious practice was a planning consideration.

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

- In terms of the 'observed adverse effects' Officers explained that this came from the National Planning Practice guidance (NPPG). It categorised impact of noise and receptors would perceive noise in different ways. The NPPG talked about, when noise got to certain levels, people's behaviour could change, therefore for some people the call to prayer would not affect changes in behaviour, however for some it could be an unfamiliar sound possibly resulting in a change of behaviour and try to drown out the noise by closing windows or putting the television on until they were used to it.

- Officers explained, that on planning grounds officers looked at harm regards noise mitigation. Officers would consider the duration of the noise, the time it occurred and the implications to the surrounding area. There would be a level of background noise accruing which would minimise / detract from the call to prayer. Environmental Health Team Manager added that she would look at the structure of the building, its distance to residential properties and acoustic barrier location of the nearest building. The call to prayer was likened to the sound of a household vacuum cleaner, and it was presumed that the sound would be controlled at source.

- It was also explained to Members that the video example of the call to prayer presented to Members at the beginning of the meeting could not be compared to what would be heard on the street, however Officers could find out what was played in terms of decibels from a receptor.

- A condition in terms of volume had been requested from Environmental Health as well as acoustic suppression system to be fitted to the amplifying system, so regardless of who was present at a later date volume would be controlled. The Acoustic suppression system shall be submitted to the Local Planning Authority for approval prior to the amplification system being first brought into use.

- Members heard that in respect to amenity, careful consideration had been given to the balance between right to religious practice and the rights of those living nearby to enjoy their homes. It was acknowledged that some may find it unfamiliar and intrusive, and some would not be bothered by it at all. Controls had been put in place, so the balance had been achieved.

- It was confirmed that in respect of religious practice, that in itself was not a material planning consideration, however when considering the application officers had given a carefully balanced judgement.

A vote took place, and the application was approved.

RESOLVED that planning application 22/1907/VARY Farooq E Azam Mosque and Islamic Centre, Bowesfield Lane, Stockton-on-Tees be approved subject to the following conditions and informatives;

Variation of amplification only;

01 Nothing in this permission other than the variation of condition No.7 (amplification) to allow for external amplification shall be construed as discharging the conditions attached to the previous permission 04/3691/FUL.

02 Notwithstanding any information contained within this application a maximum of three loudspeakers shall be installed. All associated loudspeakers shall only be installed within the minaret tower with no amplification equipment being placed on any of the roof(s) or balconies of the Mosque. All speakers shall be sited as far as is reasonably practicable to minimise their visual appearance on the street scene.

Amplified prayer limitations

03 The amplified Azan (call to prayer) shall adhere to the following at all times;

- take place only on Fridays between 12.00 and 14.00 hrs
- be recited once
- last no more than two minutes

Noise disturbance

04 The sound level should not exceed 70dB(A) (Fast) a minimum of 2m from any elevation of any dwelling or at a distance of 50m from the loudspeaker, whichever is the closer.

Acoustic Suppression

05 Full details of an acoustic suppressor to be fitted to the amplifier system shall be submitted to the Local Planning Authority for approval prior to the amplification system being first brought into use. The acoustic suppression system shall be installed in full accordance with the agreed details and set so that a volume of 70dB(A) cannot be exceeded. Thereafter the acoustic suppressor is to be regularly calibrated and maintained to ensure there is no acoustic drift.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

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

**P
36/22**

22/1499/FUL

**Land South of Gately Moor Reservoir, Near Redmarshall,
Stockton-On-Tees**

**Proposed solar farm (49.99mw) and energy storage together with all
associated works, equipment and
infrastructure**

Consideration was given to planning application 22/1499/FUL, Land South of Gately Moor Reservoir, Near Redmarshall, Stockton on Tees.

The application site, which extended to approximately 123.37ha and comprised of agricultural land across two blocks of land which were bisected by the road

linking Whinney Hill and Bishopton, known as Bishopton Back Lane, straddled the administrative boundaries of Stockton and Darlington. Duplicate planning applications had been submitted to both authorities for consideration. Darlington took their application to Planning Committee on the 9 November where Members voted to approve the application in accordance with the officer recommendation.

The proposed development was for a 49.99MW solar farm, energy storage and associated works, equipment and necessary infrastructure. Planning permission was sought for a temporary period of 40 years and 6 months from the date of first exportation of electricity from the site.

The proposed solar farm would consist of solar PV panels placed on a single axis tracker mounting structure with a typical overall height not exceeding 3.1m, depending on existing ground levels which would remain unaltered. The ancillary infrastructure, such as central inverter cabinets, switchgear, spares container, energy storage, and energy auxiliary storage container would all be within the site boundary. Underground cabling would be placed around the site leading to an off-site substation adjacent to the existing Norton electricity substation.

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

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

The planning policies and material planning considerations that were relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that it was clear that the development of renewable energy was in principle in the public interest and considered a benefit in those terms. The proposed development, with associated energy storage, would generate and store a significant amount of electricity from renewable sources and result in a reduction of approximately 25,370 tonnes of CO₂ emissions annually compared to generating the same amount of electricity using coal. This represented a significant contribution to the legally binding national and international requirements and associated targets to increase renewable energy generation and reduce CO₂ emissions. The proposal would also provide a range of other benefits including a significant contribution to local employment and the economy more generally. Additional benefits of the scheme included biodiversity and landscape improvements to the site.

The development would not result in the loss of best and most versatile agricultural land and when decommissioned, the site could revert to its former use.

There would be some localised harm to the character, quality, and distinctiveness of the local landscape, although this would not be substantial, and these impacts had been mitigated to an acceptable level. Mitigation measures proposed for biodiversity would result in a significant biodiversity net gain which would be secured for the lifetime of the development by planning condition and were considered appropriate to mitigate against any ecological

impacts. Consideration had also been given to the impact of the proposals upon highway safety, residential amenity, heritage assets, flooding and drainage, and public rights of way and, subject to appropriate conditions, these impacts were considered to be acceptable.

Members were presented with an update which since the original report, detailed an additional letter which had been received from the Campaign for the Protection of Rural England (CPRE).

The letter was questioning whether the respective 22/1511/FUL and 22/1499/FUL applications for solar arrays and battery storage at California Farm and Gately Moor, constituted one development for the purpose of the Development Consent Order provisions of the Planning Act 2008, and not as submitted under the provisions of the Town and Country Planning Act 1990. Full details of which were contained within the update report.

Officers were satisfied that both applications were independent of one another and therefore could be determined under the Town and Country Planning Act 1990, therefore the Planning Officers recommendation contained within the main report remained unchanged.

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

- The proposed development would have a detrimental visual impact on local residents and the local area.
- It was felt there would be substantial harm to the open countryside.
- The proposal was for 40 years which in planning terms may not be a long time, however, was a lifetime for residents.
- It was felt that for such a large proposal and lack of public consultation, there was a deliberate plan to get this application approved under the radar.
- It was understood that there were to be more solar farms to be considered within the vicinity therefore the cumulative damage and impact of multiple solar farms needed to be taken into consideration and looked at in the whole and not individually.
- The proposed scheme was twice the size of California Farm, however, was much less efficient, therefore it was felt only half of the proposed land would be required to deliver the required output.
- Roads on Darlington Back Lane required repairing and Bishopton Road was very narrow to be expecting Heavy Goods Vehicles to be travelling up and down, possibly causing damage and disruption to the area.
- There had been accidents on Bishopton Road which had not been reported.
- The proposed land was far too large and was taking up prime agricultural land.
- It was a disgrace that these companies were trying to put these solar panels all over our urban area.

- There would be a negative impact on the environment and wildlife.
- Properties would be devalued.
- Construction vehicles would disrupt the local road networks
- Energy should never be at the sacrifice of food security.
- Agricultural land should be used for farming and brown field sites for energy projects.
- The application should be refused or deferred due to lack of consultation and information.

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

- The Applicant was involved in several schemes across the country.
- The panels would be on single axis tracks.
- The proposed scheme would provide 17000 homes with energy.
- The Application, should it approved would help meet energy efficiency and reduce carbon emissions.
- There was a need to produce cheaper forms of electricity due to current global energy crisis.
- Only 0.1% of land had solar panels on it.
- Hedgerows and native species of trees would be planted as well as seeding of grass.
- The Applicant had worked closely with officers to resolve any points of objection, and the plan accorded with the local plan.
- The Applicant looked forward to working with the local community to reduce disruption.
- Only 4 homes would see the solar panels from their bedrooms.
- The land on the proposed site would remain agricultural for the next 40 years.
- 8% of energy in the UK was solar powered.
- There was to be a contribution of £100,000 for the local area and the Applicant would continue to engage with the local community. Local businesses would also benefit from being able to tender for contracts such as cabling.

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

- Members of the Committee stated that as there were to be a number of further applications submitted for solar panel farms and subsidiary battery storage sites, this site should not be considered in isolation and should be determined alongside all future applications for solar panel farms within the Borough taking into consideration the cumulative impact. If this application was approved the Committee would be setting a precedent.

- There were lots of emerging plan questions such as whether we heat or eat. The slides shown in the Officers presentation was showing arable land that was producing crops and should remain so.

- In terms of renewable energy, this wasn't the issue. The issue was overkill on agricultural land and spoiling lovely villages with housing estates and ugly solar farms. More brown field sites should be brought back into use for projects like this.

- There would be a negative impact on wildlife and ecology.

- Members raised questions relating to the concerns raised by members of the public regarding a lack of consultation and whether this should have been a legal requirement.

- Concerns were raised relating to visual impact and the site becoming an industrialised area.

- Clarity was sought as to whether there was any direction from central government in terms of how Planning Committees dealt with renewable energy applications. Members felt this was a step change and more direction was required when dealing with these types of application.

- If the UK was to not rely on importing energy from abroad then more solar farms / offshore and onshore wind farms would be needed if serious consideration was being given to self-sufficiency.

- Members questioned the definitive classification of the land, and what the land produced? Who owned the land, and after the 40-year limit of it being a solar farm how would it transfer back to being agricultural land?

- Members asked Officers for reassurance that the neighbouring villages to the proposed application site could cope in terms of infrastructure.

- It was felt that residents' concerns relating to highways had not been adequately answered. Road's west of Stockton needed assurances in terms of the wider impact.

- Traffic management permits were being granted left, right and centre and extended for weeks and months which created chaos everyday all day. Residents needed to be looked after and not impeded.

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

- Officers explained to the Committee that there was guidance regarding consultation by an applicant but it was only guidance and we could not refuse an application if there was none. As part of the planning process, officers had published a press advert, put up site notices and consulted with 47 dwellings.
- Officers informed the Committee that the land was agricultural land, grade 3b, and was worked on a crop rotation basis and was owned by 2 farmers. The farmers would rent the land to the developer for the lifetime of the commission. The land would remain agricultural and would be retained after the 40 years and 6 months.
- In terms of government guidance, at the minute government stated that grade 3b land was suitable for solar farms.
- Agricultural land classed as 3b was not considered to be the best and most versatile for food production, however, was good for grazing and would continue to be used for grazing should the application be approved.
- The applicant had submitted a biodiversity and ecology report. The site was actually gaining not losing regards biodiversity.
- Due to additional planting / hedgerows etc the biodiversity of the site would be maintained in perpetuity.
- As crops on the land were rotated this did not offer continual habitat for wildlife, however the new proposal would now offer stabilisation for biodiversity.
- Where clarity had been sought relating to the cumulative effect of additional solar panel farm applications, the Applicant had submitted a cumulative impact assessment report which had been looked at by Officers and mitigation would be secured by planning conditions. If a subsequent site was submitted that hadn't already been considered within the planning process the cumulative assessment would have to be undertaken again.
- The visual impact was better in the real than on the plan and had been fully assessed.
- Prior to commencement of the development a final Construction Management Plan would be submitted. What had been submitted already was not severe and Highways had no objections to the application.
- There were no records showing any traffic incidents on Bishopton Back Lane.
- All traffic management in the Borough required a permit in terms of the construction process, this was limited in the main to HGV movement and cable management routes.

A vote took place, and the application was approved.

RESOLVED that planning application 22/1499/FUL be approved subject to the following conditions and informative below;

01 Approved Plans

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

Plan Reference Number	Date Received
GMSF_CS21GB001_05	29 June 2022
GMSF_CS21GB001_11	29 June 2022
JK10806-01-01	29 June 2022
P20-0234_03F	29 June 2022
GMSF_CS21GB001_01	29 June 2022
GMSF_CS21GB001_07	29 June 2022
GMSF_CS21GB001_08	29 June 2022
GMSF_CS21GB001_02	29 June 2022
GMSF_CS21GB001_04	29 June 2022
GMSF_CS21GB001_06	29 June 2022
GMSF_CS21GB001_09	29 June 2022
GMSF_CS21GB001_10	29 June 2022
JK10806-02-01	29 June 2022
JK10806-03-01	29 June 2022
JK10806-04-01	29 June 2022
JK10806-05-01	29 June 2022
P20-0234_04 REV 0	29 September 2022
P20-0234_12 REV F	29 September 2022
P20-0234_19 REV A	29 September 2022

02 Temporary Consent

The permission hereby granted is for the development to be retained for a period of not more than 40 years from the date when electricity is first exported to the electricity grid (First Export Date) or in the event that electricity is not exported to the electricity grid from the date that works first commenced on site. Written confirmation of the First Export Date shall be submitted to the Local Planning Authority within one month of the First Export Date. The site shall be decommissioned and all buildings, structures and infrastructure works hereby approved shall be removed and the land restored to its former condition in accordance with details to be submitted to and approved by the Local Planning Authority in writing. The approved details shall then be implemented in full within 6 months of approval of those details.

03 Inoperative

In the event that the solar farm is inoperative for a period of 6 months or longer, a scheme for the restoration of the site, including the removal of all buildings, structures and infrastructure works, dismantling and removal of all elements, shall be submitted to and approved in writing by the Local Planning Authority not later than 12 months following the last export of electricity from the site. The approved details shall then be implemented in full within 6 months of approval of those details or such other period as may be approved in writing by the Local Planning Authority.

04 Biodiversity Management Plan

The production of a final agreement biodiversity management plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and operated in full accordance with the measures contained within the final biodiversity management plan, including provision for future monitoring, reporting and any necessary amendment of management measures, or such other alternative measures which may

subsequently be approved in writing by the Local Planning Authority for the lifetime of the development hereby approved.

05 Pre-Construction Checks

Prior to the commencement of the development hereby approved, pre-construction survey checks shall be undertaken for the presence of badgers and the results of the survey and any necessary mitigation measures required shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved mitigation measures shall be implemented in full.

06 Treatment of Infrastructure

Prior to the commencement of the development precise details of the colours and finishes for all buildings, fixed plant and machinery shall be agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the details as approved.

07 Tree Protection Measure

Tree protection measures outlined in the Arboricultural Impact Assessment 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.

This shall include:

- Permanent perimeter site deer fencing which will provide protection to site trees and hedgerows during construction; and
- Temporary site tree protection fencing centrally within the site and described in paragraph 6.2 of the Arboricultural Impact Assessment

08 Soft Landscaping

No development shall commence until full details of soft landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations, inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for tree pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following commencement of the development and completed to the satisfaction of the Local Planning Authority.

09 Construction Management Plan

Prior to the commencement of the development, a Construction Management Plan (CMP) shall be submitted and approved in writing by the Local Planning Authority. The Plan shall include a dust action plan, the proposed hours of construction, vehicle and pedestrian routes, type and frequency of construction/staff vehicles, road maintenance, and signage, wheel washing plant, methodology of vehicle movements between the compound and various site accesses, details of operation of banksmen and on-site parking arrangements. The development shall not be carried out otherwise than in complete accordance with the approved details.

10 Site Access

Prior to the commencement of the development, precise detail of access(es) shall be submitted to and approved in writing. Details shall include visibility splays, details of cut off drainage to prevent the discharge of surface water onto the highway, location of gates, and turning facilities for the long-term operation of the site. The first 12m of each access/internal road shall be constructed in a sealed material (i.e., not loose gravel).

11 Operating Hours

No construction or demolition activities, including the use of plant and machinery, as well as deliveries to and from the site, shall take place outside the hours of 08:00 – 18:00 Monday to Friday, 08:00 – 14:00 Saturday with no activities on a Sunday or Bank/Public Holidays without the prior written permission of the Local Planning Authority.

12 Contaminated Land

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

1. A site investigation scheme, based on the submitted desk top study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site, within area B of the site.
2. The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. This must be undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" guidance (2020), CIRIA C665 and BS87576: Guidance in investigations for ground gases. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

13 Contamination from Radon Gas

No development shall be commenced until details of the gas protection design for radon is submitted and approved by the local authority. This should be carried out in accordance with BRE Report BR211 (2015) Radon: Protective measures for new buildings. The installation of the approved gas protection measures should be verified and approved by the Building Control Department within Stockton Borough Council, and details of the verification provided to Environmental Health within Stockton Borough Council.

14 Unexpected Land Contamination

Any unexpected ground contamination identified during subsequent

construction/demolition works shall be reported in writing within a reasonable timescale to the Local Planning Authority. The contamination shall be subject to further risk assessment and remediation proposals agreed in writing with the Local Planning Authority. The development must be completed in accordance with any further agreed amended specification of works.

15 Surface Water

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 (for each phase of the development)
- ii. A build programme and timetable for the provision of the critical surface water drainage infrastructure
- iii. A management plan detailing how surface water runoff from the site will be managed during the construction phase
- iv. Details of adoption responsibilities.

16 Surface Water Management

The development hereby approved shall not be brought into use until:

- i. Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said development
- ii. The drawings of all SUDS features have been submitted and approved in writing by the Local Planning Authority. The drawings should highlight all site levels, including the 30 year and 100 year +cc flood levels and confirmation of storage capacity
- iii. 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 and cover the lifetime of the development.

17 Flood Risk Assessment

The development permitted by this planning permission shall only be carried out in accordance with the approved Gately Moor Solar Farm Flood Risk Assessment, Issue 01 received by the Local Planning Authority on the 29 June 2022.

18 Archaeological Mitigation

No development shall commence until a Strategy for Archaeological Mitigation, including a phased programme of archaeological work in accordance with 'Standards for All Archaeological Work in County Durham and Darlington' has been submitted to and approved in writing by the Local Planning Authority. The

programme of archaeological mitigation will then be carried out in accordance with the approved strategy.

19 Archeological Post Investigation

No part of an individual phase of the development as set out in the agreed programme of archaeological works shall be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

20 External lighting

Notwithstanding the submitted details should any external lighting be required at either the construction or operational phases of the development, details of such lighting including measures to prevent light spillage, shall be submitted to and approved in writing by the Local Planning Authority. Any such external lighting as approved shall be installed in accordance with the approved details and shall be retained as such for the lifetime of the development.

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 seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

Informative: Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policycampaigns/operations-safety/>)

Informative: PRoW

At no stage during the construction of the development should the adjacent PRoW be blocked or made unsafe for users.

**P
37/22**

**1. Appeal - Mr D Anderson - Yarm Riding Centre, Glaisdale Road, Yarm
20/2277/OUT - DISMISSED**

**2. Appeal - Mr G Corfield - 20 Diligence Way, Eaglescliffe,
Stockton-on-Tees
21/1952/RET - DISMISSED**

**3. Appeal - Electworld - 2 Stranton Street, Thornaby, Stockton-On-Tees
22/0523/COU - DISMISSED**

**4. Appeal - Cliff Court (Redcar) Developments Ltd - The Mile House,
Durham Road, Stockton-On-Tees
22/0437/ADV - ALLOWED WITH CONDITIONS**

**5. Appeal - Mr Lloyd Blackburn - 2 Palm Grove, Stockton-on-Tees
22/0214/FUL - DISMISSED**

The Appeals were noted.

