

Date: Wednesday 7 June 2023 at 1.30 pm

Venue: Jim Cooke Conference Suite, Stockton Central Library, Stockton - on - Tees,
TS18 1TU

Cllr Mick Stoker (Chair)

Cllr Michelle Bendelow (Vice-Chair)

Cllr Stefan Barnes

Cllr John Coulson

Cllr Elsi Hampton

Cllr Tony Riordan

Cllr Norma Stephenson OBE

Cllr Sylvia Walmsley

Cllr Carol Clark

Cllr Dan Fagan

Cllr Eileen Johnson

Cllr Andrew Sherris

Cllr Jim Taylor

Cllr Barry Woodhouse

AGENDA

- 1 Evacuation Procedure (Pages 7 - 8)**
- 2 Apologies for Absence**
- 3 Declarations of Interest**
- 4 Planning Protocol (Pages 9 - 10)**
- 5 Minutes of the meetings which were held on 15 March and 12 April 2023 (Pages 11 - 40)**
- 6 21/1270/RET 16-16A Leven Road, Norton, Stockton-on-Tees Retrospective application for change of use to café/hot food takeaway to include the installation of a flue and associated abatement system. (Pages 41 - 58)**
- 7 Local Plan: Housing Supply Assessment (2022 – 2027 (Pages 59 - 76)**

Members of the Public - Rights to Attend Meeting

With the exception of any item identified above as containing exempt or confidential information under the Local Government Act 1972 Section 100A(4), members of the public are entitled to attend this meeting and/or have access to the agenda papers.

Persons wishing to obtain any further information on this meeting, including the opportunities available for any member of the public to speak at the meeting; or for details of access to the meeting for disabled people, please

Contact: Sarah Whaley on email sarah.whaley@stockton.gov.uk

KEY - Declarable interests are:-

- Disclosable Pecuniary Interests (DPI's)
- Other Registerable Interests (ORI's)
- Non Registerable Interests (NRI's)

Members – Declaration of Interest Guidance



Table 1 - Disclosable Pecuniary Interests

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2 – Other Registrable Interest

You must register as an Other Registrable Interest:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

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Jim Cooke Conference Suite, Stockton Central Library **Evacuation Procedure & Housekeeping**

If the fire or bomb alarm should sound please exit by the nearest emergency exit. The Fire alarm is a continuous ring and the Bomb alarm is the same as the fire alarm however it is an intermittent ring.

If the Fire Alarm rings exit through the nearest available emergency exit and form up in Municipal Buildings Car Park.

The assembly point for everyone if the Bomb alarm is sounded is the car park at the rear of Splash on Church Road.

The emergency exits are located via the doors between the 2 projector screens. The key coded emergency exit door will automatically disengage when the alarm sounds.

The Toilets are located on the Ground floor corridor of Municipal Buildings next to the emergency exit. Both the ladies and gents toilets are located on the right hand side.

Microphones

During the meeting, members of the Committee, and officers in attendance, will have access to a microphone. Please use the microphones, when directed to speak by the Chair, to ensure you are heard by the Committee.

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Planning Committee Procedure

1. Officers present the report to Members
2. Members of the public, applicants and agents speak for/against the application, 3 minutes each
3. Officers respond to any queries/misinformation which may have been raised as a result of public speaking
4. Members discuss the application in general and seek clarification from Officers/agents if necessary
5. Officers respond to any points raised by Members and give a brief summary of the proposal in view of comments raised
6. If it looks as if the application may go contrary to officer recommendation, Members debate and propose the possible reasons for the decision and the lead planning and legal representatives and other officers will advise which reasons are acceptable or not. Members respond on whether they wish to vary the reasons accordingly
7. Following the discussion, Members will be asked to confirm and then agree the reasons upon which they will rely if they vote for refusal of the application
8. Members vote on the officer recommendation or any alternative motion successfully carried
9. If the decision taken is contrary to officer recommendation, the Planning Officer, and Legal Representative are given the appropriate amount of time to discuss whether the protocol for decisions contrary to officer recommendation should be invoked and that the committee and members of the public be informed of the outcome of that decision
10. The next application is then debated

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Planning Committee

A meeting of Planning Committee was held on Wednesday, 15th March, 2023.

Present: Cllr Mick Stoker(Chair), Cllr Andrew Sherris(Vice-Chair), Cllr Carol Clark, Cllr Lynn Hall, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Tony Riordan, Cllr Marilyn Surtees, Cllr Mrs Sylvia Walmsley, Cllr Bill Woodhead MBE, Cllr Barry Woodhouse

Officers: Julie Butcher, Sarah Whaley (DoCS), Stephanie Landles (D o A&H), Martin Parker, Sarah Wood (D o CS,E&C), Elaine Atkinson, Simon Grundy (D o F,D&R),

Also in attendance: Applicants, Agents and Members of the Public.

Apologies: Cllr Dan Fagan, Cllr Steve Matthews JP, Cllr Steve Walmsley

P
49/22 **Evacuation Procedure**

The Evacuation Procedure was noted.

P
50/22 **Declarations of Interest**

In relation to item 22/0080/COU9 St Peters House, Pavilion Shopping Centre, Thornaby, TS17 9FF Councillor Sylvia Walmsley informed the Committee that she was predetermined. In accordance with Stockton Borough Council's guidance, Councillor Walmsley spoke on the item, however, she left the room prior to further debate and did not take part in the vote.

A Point of Order was raised asking about pre-determined councillors. The Head of Legal Services advised the meeting that if a member is pre-determined they may speak on the item but should then leave the room before the vote. Cllr Hall asked that this be included in the minutes.

P
51/22 **Planning Protocol**

The Planning Protocol was noted.

P
52/22 **Draft Minutes from the Planning Committee meetings which were held on 23rd November, 7th December and 21st December**

Consideration was given to the draft minutes from the Planning Committee meetings which were held on 23rd November, 7th December and 21st December 2022 for approval and signature

RESOLVED that the minutes be approved and signed as a correct record by the Chair.

P
53/22 **22/1511/FUL
California Farm, Horseclose Lane (Off Letch Lane), Stockton-On-Tees
Proposed solar farm (49.9mw) and battery energy storage system (BESS)
and associated infrastructure,
access and landscaping.**

Consideration was given to planning application 22/1511/FUL
California Farm, Horseclose Lane (Off Letch Lane), Stockton-On-Tees

Planning permission was sought for agricultural land located to the West of Stockton. 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. Ancillary infrastructure, such as central inverter cabinets, switchgear, spares container, energy storage, and energy auxiliary storage container would all be within the site boundary.

The development of renewable energy was in principle in the public interest and was 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 16,645 tonnes of CO2 emissions annually which represented a significant contribution to the 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.

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.

The application had been considered in full and subject to the recommended conditions it was considered that the impact of the proposed development could be successfully mitigated and on balance the identified benefits of the proposed development were such that the application was recommended for approval.

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 Renewable Energy Development was in principle in the public interest and was 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 CO2 emissions.

The proposal would also provide a range of other benefits including a significant contribution to local employment and the economy more generally.

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 by the very nature of the loss of the open fields 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 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.

During the officers' presentation to the Committee, the Principal Planning Officer informed Members that there had been some minor amendments to conditions 5, 10 and 17.

The Committee were also informed that there were some minor inaccuracies within the officer report. Under the heading, 'Site and Surroundings', paragraph 2, the report should have stated 87 hectares not 8.7 hectares. Clarification was also given, that under the heading, 'Proposals' paragraph 9 which referred to the reduction of number of vehicles travelling along Harrowgate Lane, this did not refer to the full length of Harrowgate Lane. The Construction Management Plan detailed that construction and operational traffic would go down Harrowgate Lane and then right at Letch Lane.

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

- The proposed application aligned with the Councils carbon reduction strategy.
- The proposed farm would be connected to the grid quickly due close proximity to Norton Substation.
- There had been extensive environmental assessments and investigations undertaken.
- The Applicant had provided presentations at Carlton and Redmarshall Parish Councils, with public in attendance, as well as having meetings face to face with local residents.
- There was an increase to screening buffers as well as additional landscaping.
- There were new access points for construction traffic off Drovers Lane and Letch Lane and therefore no construction traffic would pass through Carlton Village.
- Once the development was operational a light goods vehicle would visit the site once a month.

- Landscape Officers at Darlington and Stockton on Tees Borough Councils raised no objections to the proposed scheme.

- The proposal would deliver a brighter, cleaner and more energy efficient future.

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

- Clarity was sought as to whether power lines were overhead or underground, and whether there were to be additional pylons.

- Although it was expected that there would be an annual reduction of 16645 tonnes of CO2 emissions once the proposed development was operational, Members asked how many tonnes of CO2 emissions would be put into the atmosphere during the construction of the development.

- Officers were asked when the Council would have a renewable energy plan and whether or not one had been started?

- Clarity was sought as to why the Byers Gill development had been discounted when providing the cumulative assessment, particularly when 'Campaign To Protect Rural England' felt that the Byers Gill development was still relevant to the cumulative effect as detailed within the officers report.

- In terms of Condition 6, 'Treatment of Infrastructure', Members felt that as planners, they should have had access to precise details of the colours and finishes for all buildings, and that it was important that the development was in keeping with the countryside.

- Members drew attention to condition 07 'Tree and Hedge Protection Measures' and asked where the deer fencing was to be situated? Also,

- The solar panels would be visible from the new houses and therefore required hedge screening.

- There appeared to be a discrepancy in the number of houses the solar farm would provide energy for compared to the last report presented at Planning Committee.

- Concerns were raised relating to comments made by 'Campaign to Protect Rural England'; in particular where reference was made to the number of solar panels in the area possibly taking on the appearance of water when viewed by birds flying over, particularly water fowl resulting in them flying into the panels and killing themselves.

- If birds were kept off the solar panel farm this could have a major impact on neighbouring residential areas.

- Questions were asked as to whether the site was a potential fire risk and if

there was a fire how would it be managed?

- Concerns were raised relating construction vehicles, it was reported that there would be a maximum of 5 Heavy Goods Vehicles (HGV) per day and that they would not access the site by the neighbouring villages, however a nearby development at Hartburn were experiencing 5 HGV vehicles per hour and they were supposed to use the A66 however this was not happening.

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

- Officers confirmed that the power lines would be underground.

- Officers did not have the information to provide Members with a definitive answer on the amount of CO2 emissions created during the build of the solar farm.

- In terms of the Byers Gill development being discounted from the cumulative assessment, this was not an approved site and could only be assessed when the application was received. Applications for solar farms could only be considered in the cumulative assessment when they were submitted / approved.

- Regards comments made in relation to condition 6, the only buildings to be considered on the site were battery storage. These were likened to containers and would most likely be green to blend in with the hedgerows.

- Officers confirmed that deer fencing would be put up prior to construction and trees and hedges would be protected.

- Hedgerows would be allowed to 3 metres to achieve the best screening, there would however be some short-term impact whilst the hedgerows grew.

- The solar farm would provide energy for 16000 to 17000 homes depending on demand.

- In terms of birds confusing solar panels for water sources, there was no current evidence to back this up.

- Officers explained that in terms of fire risk, all responsible authorities had been consulted and no objections received, therefore this would not be a reason to refuse. If there was to be a fire, then this would be attended by the appropriate authorities.

- In terms of concerns around construction traffic, the Construction Management Plan (CMP) had been submitted and if not adhered to, could be enforced.

A vote took place and the application was approved.

RESOLVED that planning application 22/1511/FUL California Farm, Horseclose Lane (Off Letch Lane), Stockton-On-Tees Proposed solar farm (49.9mw) and battery energy storage system (BESS) and associated infrastructure, access

and landscaping be approved subject to the following conditions and informatives:

01 Time Limit

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

02 Approved Plans

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

Plan Reference Number	Date Received
SRE1130 03 07 R4	22 February 2023
SRE1130 04 01	30 June 2022
SRE1130 04 02	30 June 2022
SRE1130 04 05	30 June 2022
SRE1130 04 09	30 June 2022
SRE1130 04 14	30 June 2022
SRE1130 04 15	30 June 2022
SRE1130 04 16	30 June 2022
SRE1130 04 17	30 June 2022
SRE1130 04 18	30 June 2022
SRE1130 04 19	30 June 2022
SRE1130 04 20	30 June 2022
SRE1130 04 21	30 June 2022
SRE1130 04 22	30 June 2022
SRE1130 04 23	30 June 2022
SRE1130 04 24	30 June 2022
SRE1130 04 13	3 January 2023
SRE1130 04 26 R1	3 January 2023
SRE1130 04 27 R0	3 January 2023
SRE1130 04 12 R4	3 January 2023
SRE1130 04 07 R3	3 January 2023
SRE1130 04 08 R1	3 January 2023
SRE1130 04 10 R2	3 January 2023
SRE1130 04 11 R1	3 January 2023
SRE1130 04 04 R4	3 January 2023
SRE1130 04 06 R2	3 January 2023
SRE1130 04 03 R7	3 January 2023

03 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.

After the expiration of 40 years, 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. The approved details shall then be implemented in full within 6 months of approval of those details.

04 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.

05 Biodiversity Management Plan

Prior to the commencement of development a final 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.

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 and Hedge Protection Measures

Notwithstanding the proposals detailed in the submitted plans, no development shall commence until a Tree Protection Plan is approved in writing by the Local Planning Authority. This must be in close accordance with:

1. BS5837:2012 Trees in relation to design, demolition and construction – Recommendations

2. BS3998:2012 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.

The perimeter site fencing should be erected as the first operation, and prior to commencement of any construction works on site. The temporary tree/hedge protection fencing is to protect trees and hedges internal to the site, could be phased as installation progresses through the site and these details shall form part of the tree protection plan.

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 which shall be in broad accordance with the Landscape Mitigation Plan. 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 Eastern Boundary Buffer

An off-site landscape buffer, details of which shall be agreed prior to implementation, shall be planted along the eastern edge of the site in accordance with drawing SRE 1130 03 10 'Eastern Boundary Planting Plan'. This shall be planted at the earliest opportunity, or in the first planting season following commencement of the development.

10 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; 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 local planning authority 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

11 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.

12 Construction 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.

13 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.

14 Flood Risk Assessment and Drainage Strategy

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment, Issue 01 received by the Local Planning Authority (KRS.0297.042.R.001.A) June 2022.

15 Preservation of heritage assets during construction

No development/site restoration shall commence until fencing has been erected around Area 1 to a design approved by the Local Planning Authority in writing. No works shall take place within the area inside that fencing unless in accordance with Outline Construction Method Statement (Archaeology): California Farm Solar and Battery Energy Storage Development ('Report No: SRE1130/OCMS(ARCHAEOLOGY)'), submitted by Sirius Planning. This includes works undertaken during restoration of the site.

16 Preservation of heritage asset through foundation design

No work shall take place in Area 1 unless it is in accordance with Outline Construction Method Statement (Archaeology): California Farm Solar and Battery Energy Storage Development ('Report No: SRE1130/OCMS(ARCHAEOLOGY)'), submitted by Sirius Planning.

17 Recording of a heritage asset through a phased programme of archaeological works

A) No demolition/development shall take place/commence until a phased

programme of archaeological work relating to Area 2 including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. This shall include trial trenching of Area 2 and proviso for any further mitigation works necessary following the evaluation. The scheme shall include an assessment of significance and research questions; and:

- 1.The programme and methodology of site investigation and recording
- 2.The programme for post investigation assessment
- 3.Provision to be made for analysis of the site investigation and recording
- 4.Provision to be made for publication and dissemination of the analysis and records of the site investigation
- 5.Provision to be made for archive deposition of the analysis and records of the site investigation
- 6.Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B)No demolition/development shall take place until the site investigation has been carried out in accordance with the Written Scheme of Investigation approved under condition (A).

C)The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

18 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.

19 Ground Clearance Works

To avoid disturbance to breeding birds, ground clearance works, and vegetation removal should be undertaken prior to the bird-breeding season (March to August, inclusive). If this is not possible, the area should be checked prior to removal of vegetation or ground works by an experienced ecologist and works undertaken under the supervision of the ecologist.

20 Enhancements for Breeding Birds

The Enhancements as details in the submitted Breeding Bird Report June 2022 (Section 6.17 shall be implemented in full prior to the completion of the development.

21 Great Crested newts

Work shall be undertaken in accordance with the Precautionary Method Statement Great Crested Newt Report June 2022.

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: PRow

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

**P
54/22**

22/0080/COU

**9 St Peters House, Pavilion Shopping Centre, Thornaby, TS17 9FF
Change of use to hot food takeaway (sui generis) to include new
extraction and installation of new shop front.**

Consideration was given to planning application 22/0080/COU
9 St Peters House, Pavilion Shopping Centre, Thornaby, Stockton-On-Tees

The application site was a ground floor unit within Pavilion Shopping Centre, Thornaby and was currently in use by Jalz Hairdressers within Class E use as a retail premise.

Planning Permission was sought for the Change of Use of the premise to a hot-food takeaway within the Sui Generis planning use class and the unit occupied 85m² of floorspace. The proposed works would include provision of a new shop front, external extraction systems to the rear of the unit and alterations to the internal layout of the unit; all of which were to accommodate the proposed use.

Whilst it was acknowledged that there were other food outlets within Thornaby District Centre and Thornaby Pavilion Shopping Centre, it was considered that the proposed hot foot takeaway would not lead to an overconcentration of hot food takeaways within the Pavilion Shopping Centre or Thornaby District Centre. In addition to this, it's associated impacts would not significantly worsen the existing impacts of the retail centre or its users and the scheme was also not considered to have an adverse impact on the character of the area or highway safety.

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 the proposal did accord with the wider aims of National and Local Planning Policy. The scheme was also not considered to have an adverse impact on the character of the area, amenity of nearby premises or highway safety.

It was considered therefore that the proposal constituted sustainable development which would provide economic and social benefits and by the imposition of conditions would protect the users of the surrounding area. The proposal was therefore considered to satisfy the provisions of the National Planning Policy Framework and be in accordance with the Development Plan when taken as a whole. It was recommended that planning permission be granted with conditions for the reasons as detailed within the main report.

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

- There was already a high concentration of fast-food outlets in the area, as well as 2 cafes and 2 bakeries serving hot food.
- The premise fell within 400 metres of school premises.
- The outlet for the ventilation would be positioned behind the window of a sports facility.
- The proposed premises was currently operating as a successful hairdressing salon and had done so for over 40 years; the change of use could affect 5 people's jobs.
- The Salon was used by many people and had loyal staff and customers.
- The change of use to a fast-food outlet was not very good for public health and would not improve the local economy.
- There were 2 other outlets with 'To Let' signs available which could have been utilised for a fast-food outlet.
- It was believed that the current tenant was in talks with the landlord in relation to a new lease.
- Comments were made stating that neither the tenant nor the landlord had been notified of today's Planning Committee meeting.
- A fast food outlet would create noise, littering, smells, and potentially more work for the local authority.
- Current fast-food outlets / takeaways were creating a lot of traffic movement in Thornaby Centre which was not what had been envisaged for the town in the 1990's.

- The current tenant had moved into the premise 45 years ago when the unit was an empty shell. There were no electrics or plumbing and the tenant spent in the region of £100,000 fitting the unit out.

- The tenant found out 3rd hand that the landlord was submitting plans to change the use of the unit to a fast-food outlet.

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

- The Planning Services Manager appreciated that there was a number of food outlets within Thornaby Town Centre however there was not an over concentration of takeaways, it was also explained that it was common practice to direct fast-food / takeaways to town centre locations, minimising the impact on surrounding residential areas.

- Where comments had been made relating to the close proximity of the premise to a local school, Officers explained there was no policy in the Local Plan relating to the proximity of fast-food / takeaway outlets to schools.

- The extraction system was to be a grill located above air conditioning units and Officers were confident that all odours would be taken away.

- Officers sympathised with the current business owner and appreciated the possible impact on his staff, however this was not a material planning consideration.

- If the application was approved, this did not necessarily mean the landlord would turn the premise into a takeaway.

- It was confirmed that the landlord and the tenant had been notified of the Planning Committee meeting, both parties had received due notification.

- In terms of concerns raised relating to Anti-Social Behaviour, the local police authority had not provided any comments / raised concerns, therefore this would not be grounds for refusal.

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

- Concerns were raised relating to how another takeaway would affect the viability of the Town Centre.

- If the application was granted there would be a takeaway delivery service in operation with cars continually pulling in and out of the.

- Staff at the current business would be affected by this change of use.

- Councillor Sylvia Walmsley informed the Committee that the current occupier of the premise had not been contacted directly and that she herself had notified him.

- The current occupier had been a supporter of Thornaby Town Centre for over 45 years and his establishment was top class and it would be a massive mistake to get rid of a vibrant and flourishing business which brought customers into the town.

- Takeaways should be directed towards town centres and not residential estates.

- The current landlord had notified the tenant on Christmas Eve to say the lease would not be renewed.

- It was wrong and immoral to potentially change this business to a fast-food takeaway, there were already enough in the town and getting rid of a viable business which attracted people to the centre of Thornaby seemed a backward move.

- Clarity was sought as to whether a sports facility was above the application site, and if so, would there be a need for pipes for the extraction grill to go up through the sports facility, and what would the impact on noise levels be?

- Questions were raised as to how the street scene would be impacted from additional refuse?

- Members asked if a loss of amenity could be used as a reason for refusal?

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

- The facility above the application site was a gaming station not a sports hall.

- Regarding fume extraction, there wouldn't be a flu as the extraction would come out from a grill to help with the dispersion. Officers had requested significant pre-treatment and raised the standard of odour abatement so what came out was much less in terms of odour. The grill would be located above the extraction units which meant noise levels would be similar to what was already there.

- In terms of additional refuse and the impact on the street scene, there was a designated refuse area at the rear of the shopping centre which had a turning circle allowing for refuse collection, the only change would be additional waste bins.

- Officers explained that the loss of amenity to refuse a planning application was usually linked to quality of life, noise, odour, loss of light etc.

- In terms of the over concentration of fast-food outlets, vitality and viability, there was no guarantee that even if the change of use was approved a fast-food outlet would come to fruition as it would be up to the landlord. Members would have to spell out why the loss of the current business would have such an impact on the town centre.

A vote then took place, and the application was approved.

RESOLVED that planning application 22/0080/COU, 9 St Peters House, Pavilion Shopping Centre, Thornaby, TS17 9FF Change of use to hot food takeaway (sui generis) to include new extraction and installation of new shop front be approved subject to the following conditions and informatives:

01 Time Period for Commencement

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

02 Approved Plans The development hereby approved shall be in accordance with the following approved plan(s); Plan Reference Number Date Received
0000/M/100/ REV A 14 January 2022 SBC0001 17 January 2022 1.1 14 January 2022 1.3 14 January 2022 2.0 2.1 14 January 2022 14 January 2022

03 External Finishing Materials

The external finishing materials shall be in accordance with the approved plan 2.1 submitted on 14 January 2022 and shall be retained for the lifetime of the development.

04 Operating Hours

The hereby approved hot food takeaway use (sui generis) shall not be open to customers outside the hours of 11:00 - 23:00 Monday to Sunday.

05 Noise disturbance from vehicles servicing the premises No deliveries shall be taken at or dispatched from the site outside the hours of 11:00Hrs and 22:30Hrs.

06 Waste storage and collection

Prior to the first occupation of the hereby approved premise details of the method of storage (including locations) and arrangements for collection of waste and refuse from the premise shall be submitted to and be approved in writing by the Local Planning Authority. All waste facilities shall be provided in accordance with the approved details and shall be managed in accordance with those agreed details thereafter.

07 Noise disturbance from New Plant Prior to the commencement of the development, a noise report shall be submitted and approved in writing by the Local Planning Authority. The report shall assess and confirm that the rating level of sound emitted from the extract grill and all fixed plant associated with the development shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 1 hour LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible,

measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

08 Extraction and Filter installation

The extraction and odour control system shall be installed in full accordance with those details shown on drawing 0000/M/100 REV A.

Prior to first occupation of the premise and approved use, details of the Grease Filter and Prefilter to be installed within the extraction and odour control system shall be submitted to and be agreed in writing with the Local Planning Authority. The Grease Filter and Pre-filter shall be installed in accordance with the agreed details prior to commencement of the development.

Both the extraction system and associated filters shall be maintained and serviced in full accordance with the manufacturers recommended maintenance programme and to the satisfaction of the Local Planning Authority, for the lifetime of the development.

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.

Informative: Advertisement Consent

Before any advertisement is displayed on land pursuant to this consent, the permission of the owner of that land or other person entitled to grant permission thereto shall be obtained.

Informative: Building Regulations

The applicant should be aware of their responsibilities outside of the planning process. The applicant should make contact with Building Control as they would be interested in the new shopfront, new extract systems, internal alterations, drainage and other matters. For further advice, please email building.control@stockton.gov.uk

Informative: Registering a New Food Business

You are required to register your new business with the Environmental Health Unit within Stockton on Tees Borough Council. Please visit this web link <https://www.stockton.gov.uk/ourpeople/environmental-health/food-safety-and-inspections/food-premises-register/> for the Food Registration Form, complete all parts and click submit. Alternatively a word version of this form can be provided to you upon request. Please note the statute states new businesses should be registered 28 days prior to being operational. For further advice, please email Environmental.Health@stockton.gov.uk

Informative: Cleveland Police

The applicant should make contact with Cleveland Police to consider measures

to reduce crime and anti-social behaviour. Contact details are to be found at www.securedbydesign.com

Informative: Drainage - Grease Trap

The drainage system to the premises needs to be provided with a suitable grease trap in order to prevent discharge of grease into the public sewer and associated problems occurring. This is a requirement under the current Building Regulations, Approved Document Part H (H1) and the applicant should contact the Building Control department in respect to this proposal.

P
55/22 **22/2114/RET**
66 The Stables, Wynyard, Stockton-On-Tees
Retrospective application to incorporate land for residential use to include the installation of 1.5 metre wall/fence.

Consideration was given to planning application 22/2114/RET
66 The Stables, Wynyard, Stockton-On-Tees

Planning permission was sought for an application site which related to a semi-detached property located at 66 The Stables. The rear garden area at the property adjoined an area of open space. The submitted application was part retrospective as works had already been carried out. The applicant had partly demolished an existing wall to the rear of the property and incorporated an area of their land beyond by erecting a boundary fence. The land had been levelled out to create a second level of residential garden area and was enclosed by a wooden fence.

The land to the rear was within the applicant's ownership despite it being designated as open space provision within the Adopted Local Plan. Several objections had been received mainly raising concern over the loss of the open space, setting a precedent and its visual impact.

The main considerations of this application were the impacts on the open space provision, character of the area and residential amenity.

The applicant had submitted a revised plan which showed a reduction of land incorporated (approximately 2.8 metres at its longest part) and proposed to erect a 1.5 metre high wall/fence which would continue from the adjoining neighbours property and would curve at a point to meet the previous wall.

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 the application be Approved with

Conditions for the reasons as detailed within the main report.

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

Brief discussion took place around the newly proposed boundary fence and clarity was sought where the original boundary line had been.

The newly proposed plan was an improvement in terms of what was currently there.

A vote took place and the application was approved.

RESOLVED that planning application 22/2114/RET be approved subject to the following conditions and informatives below;

Approved Plans

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

Plan Reference Number Date Received

SBC0001 21 October 2022

01C 31 December 2023

Installation of replacement boundary enclosure

02 The hereby approved enclosure as detailed on drawing 01C (31st December 2022) shall be built and completed within 4 months of the date of this decision unless the written consent of the Local Planning Authority to any variation has first been obtained.

Materials

03 The enclosure hereby approved shall be of a similar brick work to that of the existing boundary wall at the property unless otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of visual amenity.

Reinstatement

04 The excavated land adjacent to the hereby approved enclosure shall be 'made good' following relocation of the boundary. This external area beyond the new boundary must be backfilled, graded into the surrounding landform, topped with topsoil and grass seeded within 4 month from the completion of the new enclosure.

Removal of permitted development rights - outbuildings

05 Notwithstanding the provisions of class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), the extended residential curtilage area hereby approved (as defined by the hatched line on Plan No 1C, dated 31 December 2022, no erection of any outbuildings shall be erected within the extended curtilage without the written approval of the Local Planning Authority.

INFORMATIVE

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

56/22

22/2300/FUL

12 Hartburn Village, Stockton-on-Tees, TS18 5EB

Application for replacement of existing flat roof with pitched roof to include installation of external door of existing extension.

Officers requested that Planning Committee Members defer this item to enable them to consider additional information relating to public consultation.

Planning Committee Members agreed that due to the proposed changes to the application and the proximity to All Saints Church a deferral would be appropriate, and, in addition, requested that a site visit be undertaken by Members of the Planning Committee prior to the item being considered at the next Planning Committee meeting.

RESOLVED that item 22/2300/FUL 12 Hartburn Village, Stockton-on-Tees, TS18 5EB be deferred, and a site visit be undertaken prior to the item being presented to a future meeting of the Planning Committee.

P

57/22

Local Design Guide Supplementary Planning Document

Members were asked to consider and note a Supplementary Planning Document (SPD) prior to being presented at which provided guidance on how Local Plan policies were applied and would be a material consideration when determining applications for planning permission within the Borough.

This "Local Design Guide" SPD had been prepared as part of a suite of guidance documents that expanded on policies within the adopted Local Plan (2019). The Local Design Guide SPD and accompanying technical appendices were intended as a guide for the design of development sites, with an aim to improving the quality of design within development proposals. They were as follows;

Appendix A- Stockton-on-Tees Local Design Guide Supplementary Planning Document Appendix B- Landscaping and trees- Technical Guidance and Standards

Appendix C- Play areas- Technical Guidance and Standards

Appendix D- Shop fronts and advertisements- Technical Guidance and Standards

Appendix E- Design Process Overview

Appendix F- Consultation Statement

Appendix G- Strategic Environmental Assessment Consultation Screening Report

Appendix H- Community Impact Assessment

The Local Design Guide SPD and accompanying technical appendices had been published for public consultation and the documents had been amended where appropriate based on the consultation comments received.

Adoption of the Local Design Guide would also see a number of existing SPD's superseded.

The Officers recommendation was that the Planning Committee note the contents of the report and that the Local Design Guide Supplementary Planning Document be recommended for approval by full Council.

That the Planning Committee provide any comments on the SPD for consideration by Cabinet and Council; and

Note that the existing Supplementary Planning Documents (or elements of) would be replaced, full details of which were contained within the Officers report.

Members felt that they had not been given enough time to study the SPD fully and expressed that they wished a briefing session had been provided to enable them to go through the SPD in detail enabling them to make comments for consideration at Council.

The Planning Services Manger explained that the SPD was to provide guidance on how the Local Plan was interpreted and that the document was for guidance and not policy.

The Planning Services Manager also stated that he would be happy to go through some aspects of the plan at Planning training sessions and or put on a special training session focused on design.

A vote took place and the Officers recommendation was approved.

RESOLVED that:

The Planning Committee note the contents of the report and that the Local Design Guide Supplementary Planning Document be recommended for approval by full Council.

That the Planning Committee provide any comments on the SPD for consideration by Cabinet and Council; and

Note that the existing Supplementary Planning Documents (or elements of) would be replaced;

- Supplementary Planning Documents 1 - Sustainable Design Guide;
- Supplementary Planning Guidance - High Density Development, Flats and Apartments;
- Supplementary Planning Document - Shop Front Design and Advertisements,

and

• elements of Supplementary Planning Document: Open Space, Recreation and Landscaping (section 8; Landscaping on development sites; Appendix 2 - Planting within Stockton-on-Tees; Appendix 3 - Tree protection; Appendix 4 - Tree planting specification for softscape areas)

**P
58/22**

**1. Appeal - Mr Mark Taylor - Highgrove House, Aislaby Road, Eaglescliffe
22/0855/FUL - DISMISSED**

**2. Appeal - Mr Leo Barry - 54B Bassleton Lane, Thornaby
21/2501/FUL - ALLOWED WITH CONDITIONS**

**3. Appeal - Sean Brockbank - Land Adjacent To The Poplars, Green's
Lane, Stockton-on-Tees
21/2644/FUL - DISMISSED
COSTS - REFUSED**

The Appeals were noted.

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Planning Committee

A meeting of Planning Committee was held on Wednesday, 12th April, 2023.

Present: Cllr Mick Stoker(Chair), Cllr Andrew Sherris(Vice-Chair), Cllr Carol Clark, Cllr Lynn Hall, Cllr Eileen Johnson, Cllr Steve Matthews JP, Cllr Tony Riordan, Cllr Marilyn Surtees, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley, Cllr Bill Woodhead MBE, Cllr Barry Woodhouse

Site Visit 11th April 2023

Cllr Mick Stoker(Chair), Cllr Andrew Sherris (Vice - Chair), Cllr Lynn Hall, Cllr Tony Riordan, Cllr Marilyn Surtees, Sylvia Walmsley, Cllr Barry Woodhouse.

Officers: Julie Butcher, Sarah Whaley (DoCS), Simon Grundy (D o F,D&R), Stephen Donaghy (D o A&H),

Site Visit 11th April 2023

Julie Butcher (DoCS), Simon Grundy (D o F,D&R),

Also in attendance: Applicants, Agents, and Members of the Public.

Apologies: Cllr Paul Kirton, Cllr Dan Fagan

P Evacuation Procedure

59/22

The Evacuation Procedure was noted.

P Declarations of Interest

60/22

There were no declarations of interest

P Planning Protocol

61/22

The planning protocol was noted.

P 22/2300/FUL

62/22

**12 Hartburn Village, Stockton-on-Tees, TS18 5EB
Application for replacement of existing flat roof with pitched roof to include installation of external door of existing extension.**

Prior to the meeting Members visited the site.

Consideration was given to planning application 22/2300/FUL, 12 Hartburn Village, Stockton-onTees, TS18 5EB.

Members originally considered the application at the Planning Committee meeting which was held on the 15th March 2023 however the application was deferred to enable the committee to consider additional information relating to public consultation and for a committee site visit to take place.

The neighbouring residents had made additional comments which were detailed within the main report.

The application site host dwelling was a detached Victorian period dwelling sited within Hartburn's Conservation Area (covered by Article 4 Directions) in Stockton-on-Tees. The application sought planning permission for the replacement of an existing flat roof to a rear extension with a mono-pitch roof with the installation of a doorway to the existing extension. Revised plans were sought to change a hipped roof design to a mono-pitch roof to alleviate boundary concerns from neighbouring residents.

The applicant was an employee of Stockton-on Tees Borough Council, hence why the application was considered at Planning Committee.

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 the proposed extension by virtue of its scale, proportions, and design, was not considered to cause a detrimental impact to the character and appearance of the Hartburn Conservation Area or adjacent listed buildings/structures. Furthermore, in respect of residential amenity, the proposed extension did not cause a significant loss of amenity or privacy to neighbouring properties.

In view of the above, it was recommended that the application be approved subject to those conditions set out within the report.

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

- concerns were raised about how consultations were carried out and if the wider community had been consulted as All Saints Church had not been included in the consultation in the first instance
- letters had also been sent out stating that officers were no longer conducting site visits due to COVID-19, however it was acknowledged the letter had now been amended
- there was an error on one of the drawings
- it was felt a condition was required to enable common access to be maintained at all times during the time period the works were to be carried out for All Saints Church and other neighbours
- assurances were sought that there would be no overshadowing in a neighbouring properties yard

- clarity was sought as to whether obscured glazing had been considered for the skylights in the roof

- officers were asked why a slate roof had not been conditioned to maintain the look of the group of cottages the property was part of.

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

- regards public consultation, officers explained that those residents that were directly affected by an application would be written to, and depending on the type of application the wider population may be contacted as dictated by guidance

- officers confirmed that the letter which had been sent out to residents in error relating to site visits had been rectified and that visits were being carried out and had been since 2020

- in terms of the drawing with the error this had been checked by the case officer and was referenced within the report

- concerns raised about the common access was a civil matter and therefore a planning condition was not necessary

- it was confirmed that there would be no additional overshadowing from the roof due to the way the sun moved.

- the skylight was to the rear of the property and discreet and would have no significant view of neighbour's properties

- the grey concrete tile was appropriate for the roof and although not exactly the same was similar to what other residential homes had.

A vote took place, and the application was approved.

RESOLVED that planning application 22/2300/FUL 12 Hartburn Village, Stockton-on-Tees TS18 5EB application for replacement of existing flat roof with pitched roof to include installation of external door of existing extension be approved subject to the following conditions and informatives:

01 Time Period for Commencement

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

02 Approved Plans

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

Plan Reference Number Date Received

2037-418-00-ZZ-DR-A-1100-S3-P02 4 November 2022 2037-418-00-ZZ-DR-A-1200-S3-P02 3 November 2022

SBC0001 28 November 2022

03 External Finishing Materials The external finishing materials shall be of a similar appearance to that of the existing building and shall be retained for the lifetime of the development.

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

P
63/22 **23/0315/LA**
Harold Wilson Recreation Centre, Thornaby Road, Thornaby
Application for the construction of new Multi Use Games Area (MUGA)
with associated enclosure.

Consideration was given to planning application 23/0315/LA Harold Wilson Recreation Centre, Thornaby Road, Thornaby.

Planning permission was sought for the creation of a multi-use games area with associated enclosure.

Under the Council's Scheme of Delegation, the application was put forward for determination by the Planning Committee as the scheme did not constitute "minor development".

No objections had been received from neighbouring residents or statutory consultees subject to a number of conditions.

The proposed development was considered to be of an appropriate scale, design and layout for its setting, achieved satisfactory spacing from surrounding properties and was not considered that it would result in any unacceptable impacts on residential amenity. The proposed scheme was considered to satisfy national and local plan policies and as such was recommended for approval.

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 overall, it was considered that the proposed development is an appropriate scale and design for its setting and the proposal would not result in any unacceptable impacts on the residential amenity of neighbouring properties.

In view of the above it was therefore considered that the proposal accorded with

the provisions of the National Planning Policy Framework and the local plan policies therefore it was recommended that the application be approved with conditions.

Brief discussion was had regarding the sum of money which was to be allocated to the MUGA as part of the S106 agreement as there seemed to be confusion around money also to be allocated to the play area and changing facilities. Officers agreed to come to members with a definitive answer as what sums had been allocated and to what.

A vote took place and the application was approved.

RESOLVED that planning application 23/0315/LA be approved subject to the following conditions and informatives;

Time Limit

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

Approved Plans

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

Plan Reference Number Date Received

A10577-HW-002 17 February 2023

A10577-HW-001 17 February 2023

A10577-HW-003 17 February 2023

03 Construction activity

No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00a.m on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).

04 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.

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 23/0057/LA
64/22 Playground South West Of 2 To 16 Mount Pleasant Walk Stillington

Application for the construction of new Multi Use Games Area (MUGA) with associated enclosure and 6no floodlights

Consideration was given to planning application 23/0057/LA Playground South West of 2 to 16 Mount Pleasant Walk, Stillington

Planning permission was sought for the creation of a multi-use games area with associated enclosure, footpath and lighting.

Under the Council's Scheme of Delegation, the application was put forward for determination by the Planning Committee as the scheme did not constitute "minor development".

No objections had been received from neighbouring residents or statutory consultees subject to a number of conditions. The Parish Council had written in support of the proposal.

The proposed development was considered to be of an appropriate scale, design and layout for its setting, achieved satisfactory spacing from surrounding properties and was not considered that it would result in any unacceptable impacts on residential amenity. The proposed scheme was considered to satisfy National and Local Plan policies and as such was recommended for approval.

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 overall, it was considered that the proposed development was an appropriate scale and design for its setting and the proposal would not result in any unacceptable impacts on the residential amenity of neighbouring properties.

The proposal accorded with the provisions of the National Planning Policy Framework and the local plan policies therefore it was recommended that the application be approved with conditions.

A brief debate around the proximity of the games area to residential properties was had, as the photograph which was shown during the presentation looked as if the MUGA was too close. Officers clarified the positioning of housing in the picture and confirmed that the games area wasn't too close to residential properties.

A vote took place, and the application was approved.

RESOLVED that planning application 23/0057/LA be approved subject to the following conditions and informatives;

Time Limit

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

Approved Plans

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

Plan Reference Number Date Received

UDN_2074_07 25 January 2023

UDN_2074_06 19 January 2023

UDN_2074_10 19 January 2023

SLDS-3769-V1A 12 January 2023

TS/10088/102/1304A 12 January 2023

UDN-2074-04 REV D 12 January 2023

UDN_2074_05 12 January 2023

UDN_2074_05 REV A 12 January 2023

03 Construction activity

No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00a.m on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).

04 Multi Use Games Area Lighting - Hours of use

Notwithstanding details hereby approved, the lighting scheme hereby approved which relates to the Multi Use Games Area shall only be used between the hours of 4pm - 10pm.

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
65/22**

**1. Appeal - Clear Channel - 22 Prince Regent Street, Stockton-On-Tees,
TS18 1DB
22/1342/ADV - DISMISSED**

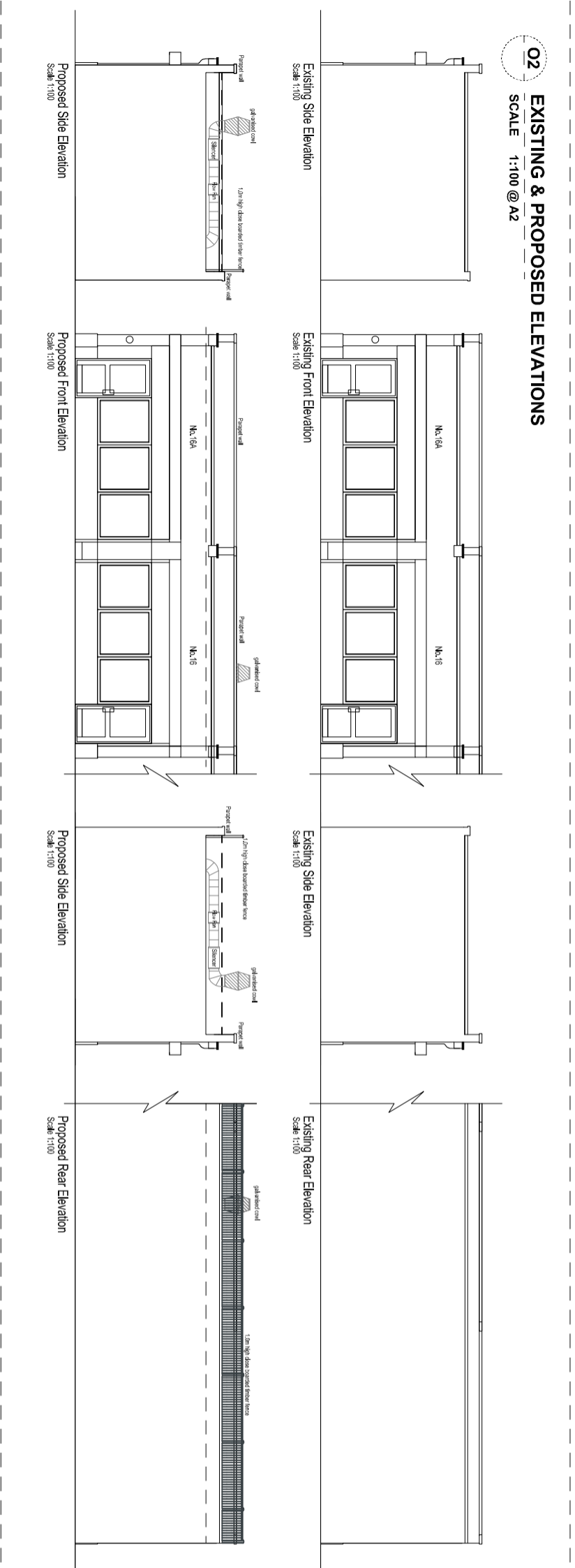
The appeal was noted.

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Agenda Item 6

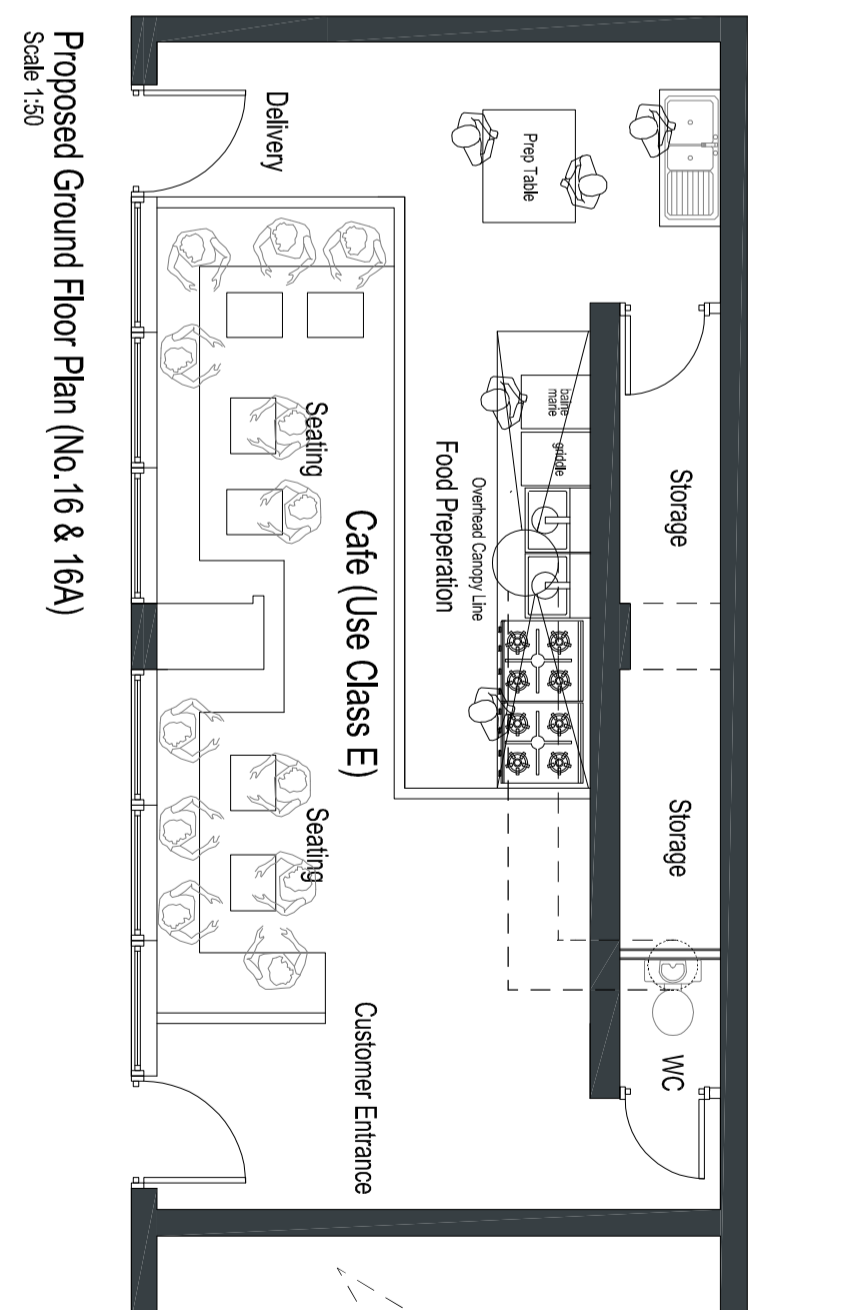
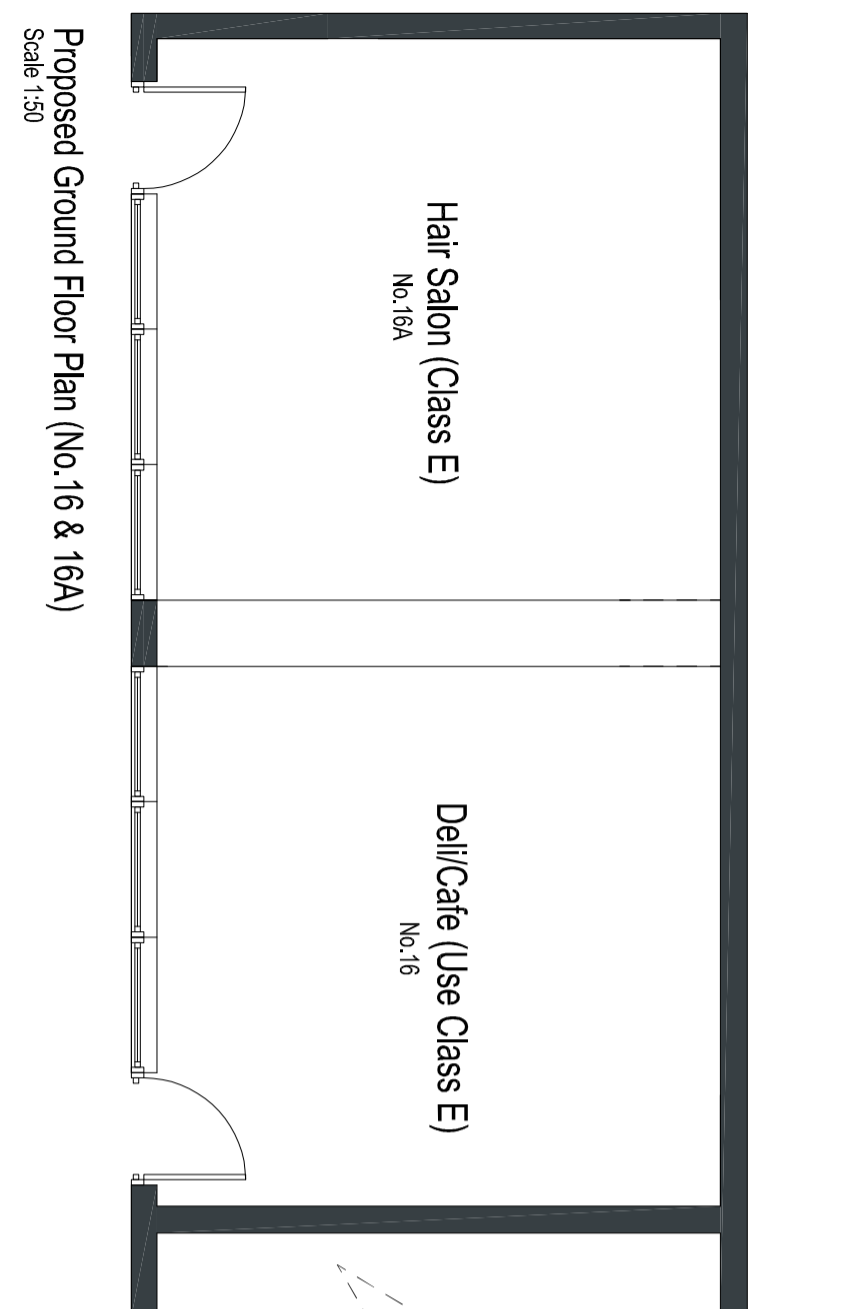
02 EXISTING & PROPOSED ELEVATIONS

SCALE 1:100 @ A2



03 EXISTING & PROPOSED FLOOR PLANS

SCALE 1:50 @ A2



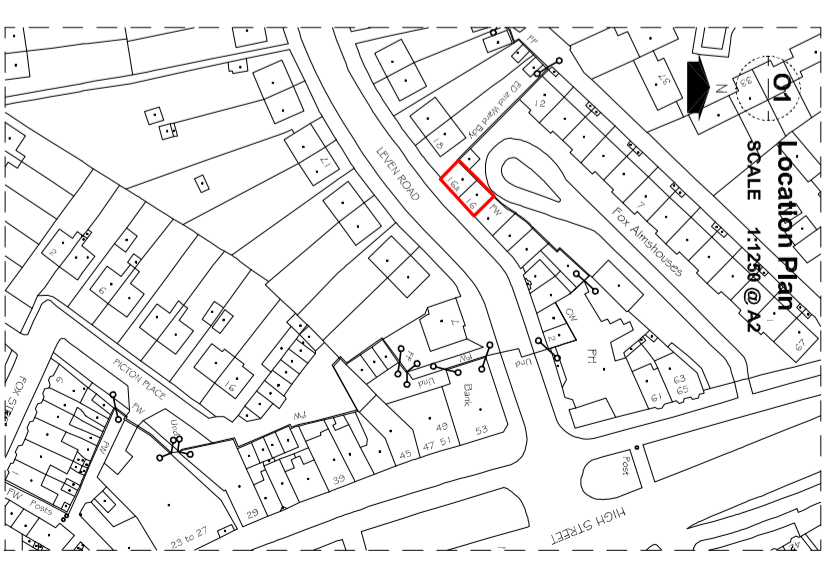
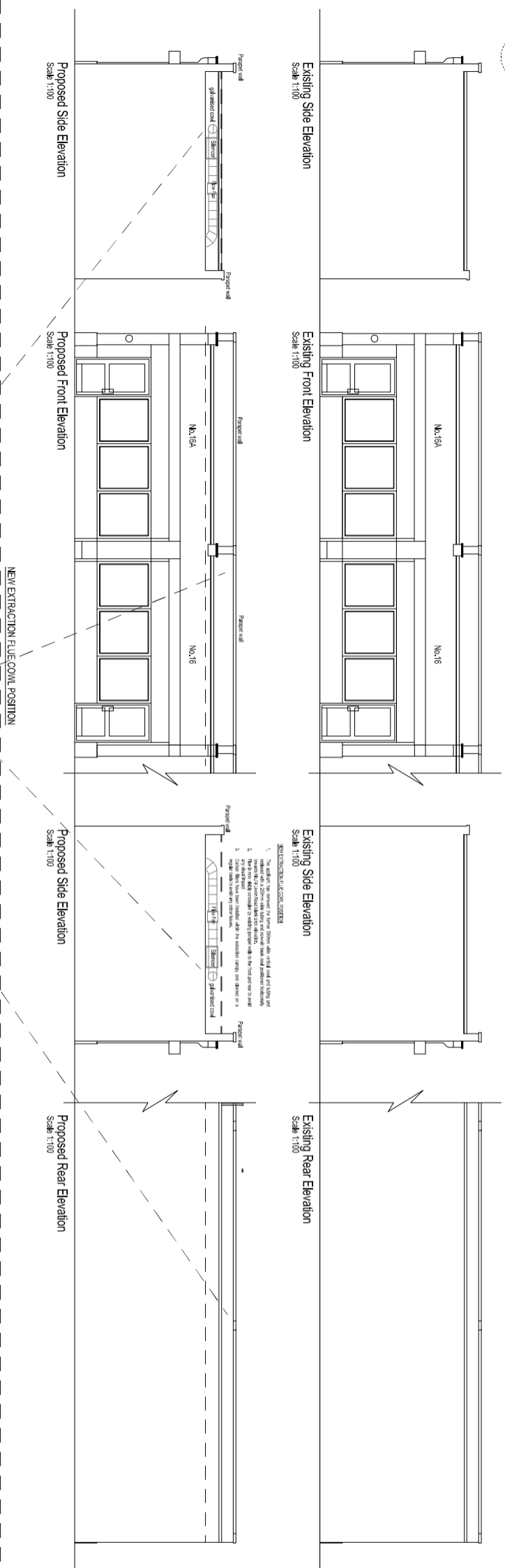
TOTAL PLANNING SOLUTIONS (UK)
 A DIVISION OF TOTAL PLANNING SOLUTIONS LTD
 THE CHIEF EXECUTIVE
 NAME: 01753300000
 Email: info@totalplanning.co.uk
 Registration: 10014976
 Registration No: 10014976

PROJECT: Installation of extraction fans
 LOCATION: 16/16A Leven Road
 Nepton
 Scotland on Tees
 TS20 1SD

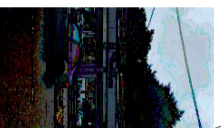
SCALE: E1:1250; 1:100; 1:50; A2
 DATE: MARCH 2021
 DWG NO: 001 - FULL PLAN
 DRAWN BY: FF

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02 EXISTING & PROPOSED ELEVATIONS
SCALE 1:100 @ A2

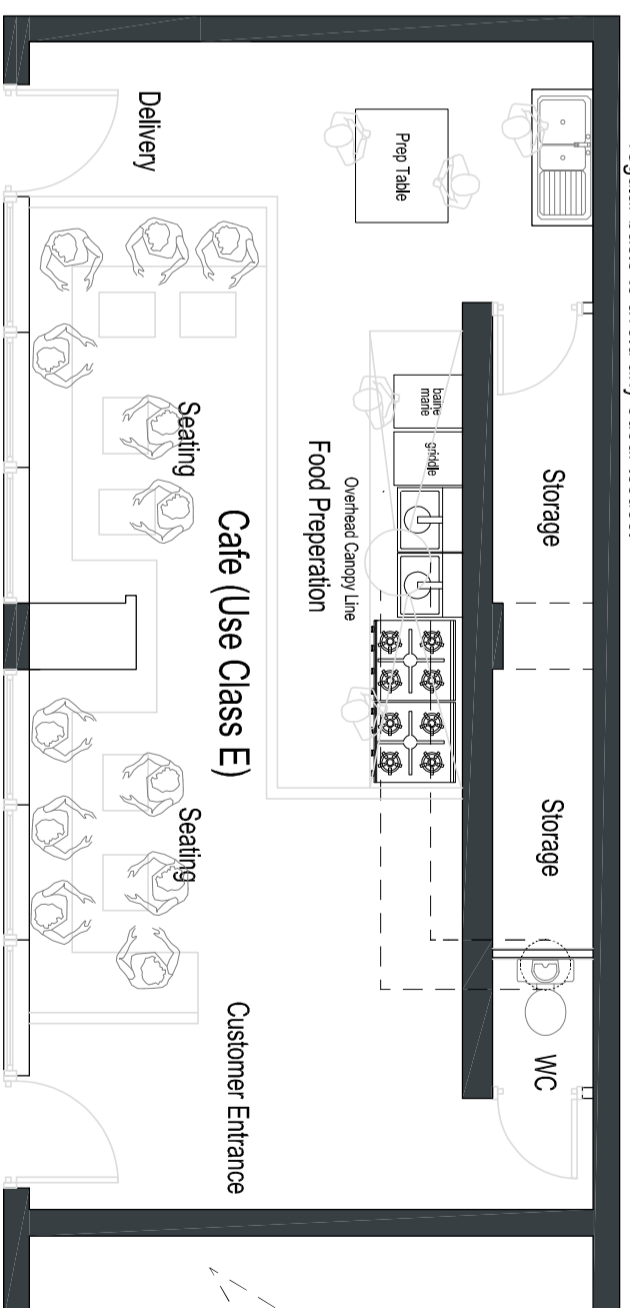
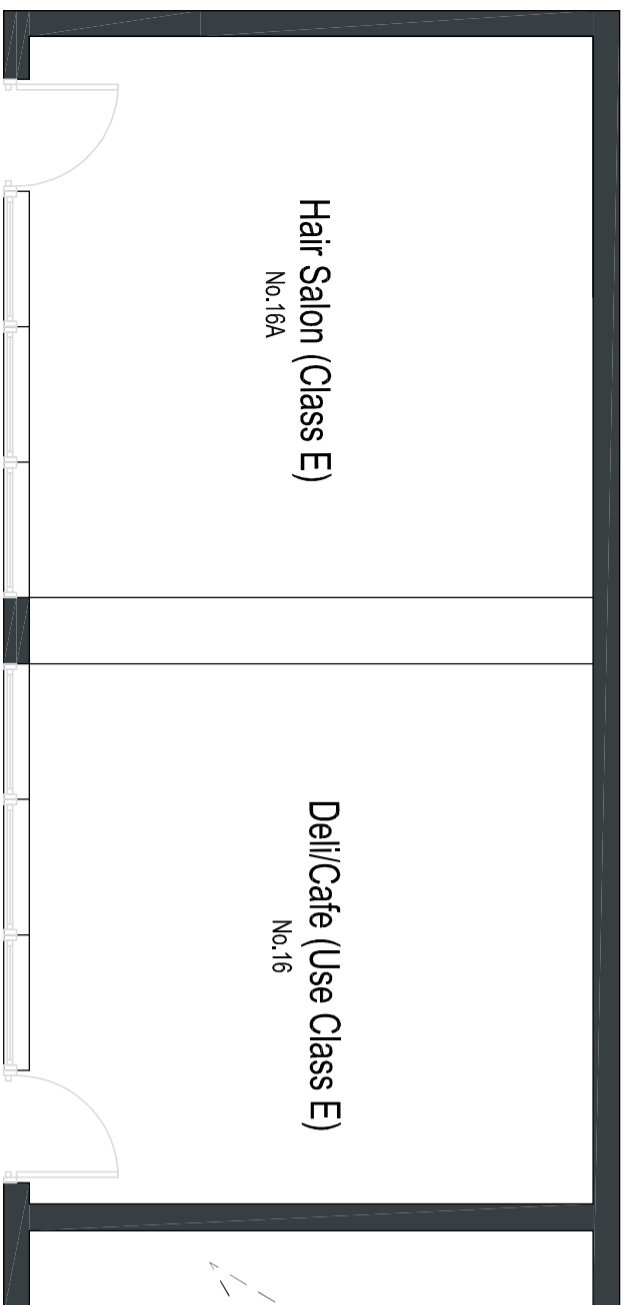


03 EXISTING & PROPOSED FLOOR PLANS
SCALE 1:50 @ A2



NEW EXTRACTION FLUE COWL POSITION

1. The applicant has removed the former 500mm wide vertical cowl and tubing and replaced with a 250mm wide tubing and non-rain beak cowl positioned horizontally towards No.14 Leven Road blank brick elevation.
2. Flue is now visibly concealed by existing parapet walls to the front and rear to avoid any visual impact
3. Carbon filters have been installed within the extraction canopy and cleaned on a regular basis to avoid any odour issues.

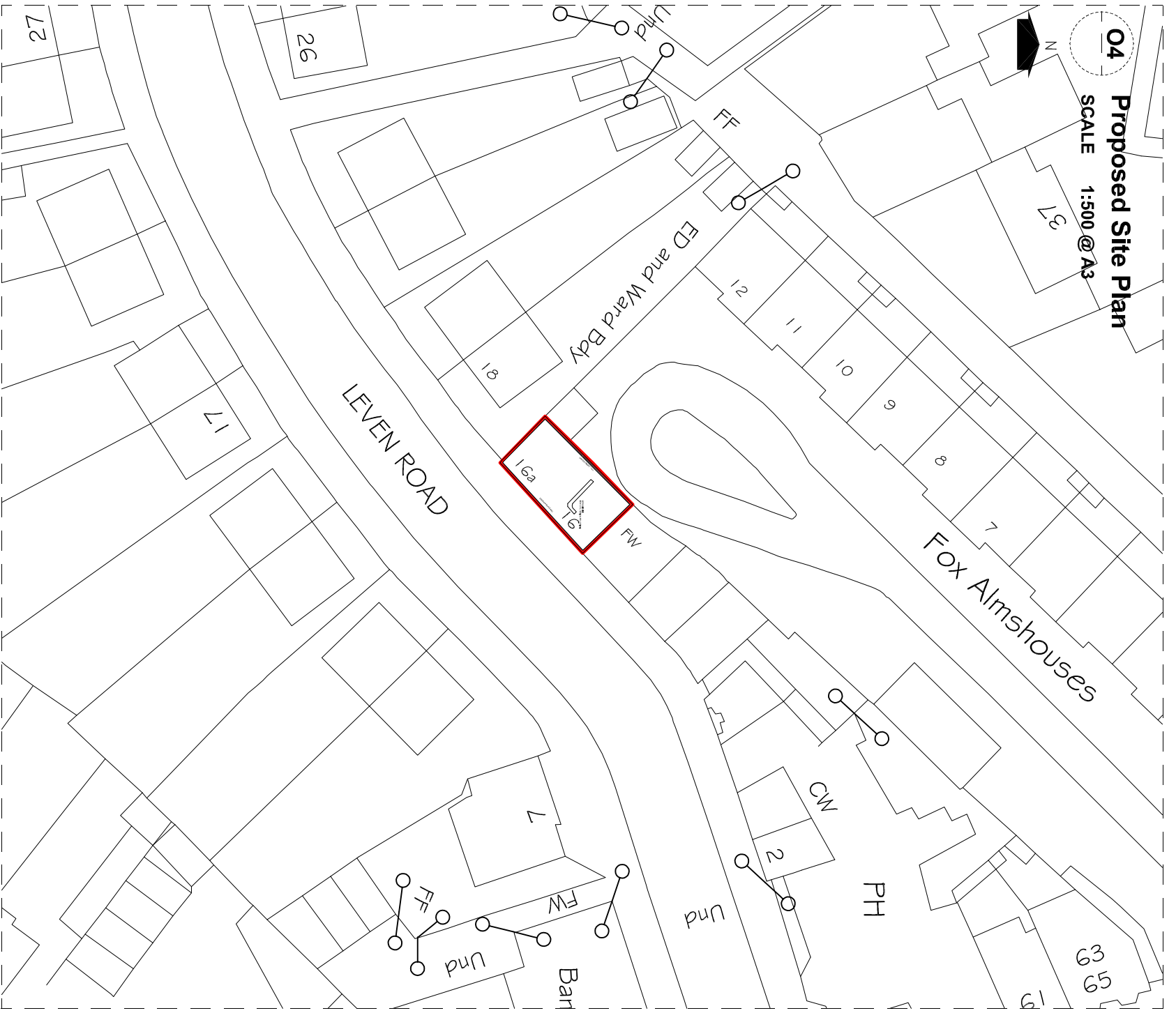


TOTAL PLANNING SOLUTIONS (UK)
 10 ROYAL TERRACE, LITTLEOVER
 LEICESTER, LE12 2JF
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 Tel: 01533 610000
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 Email: info@totalplanning.co.uk
www.totalplanning.co.uk
 Project No: 16/16A/2022/001/1A

PROJECT: Installation of extraction flue
 LOCATION: 16/16A Leven Road
 Nation
 Stockton on Tees
 TS20 1BA

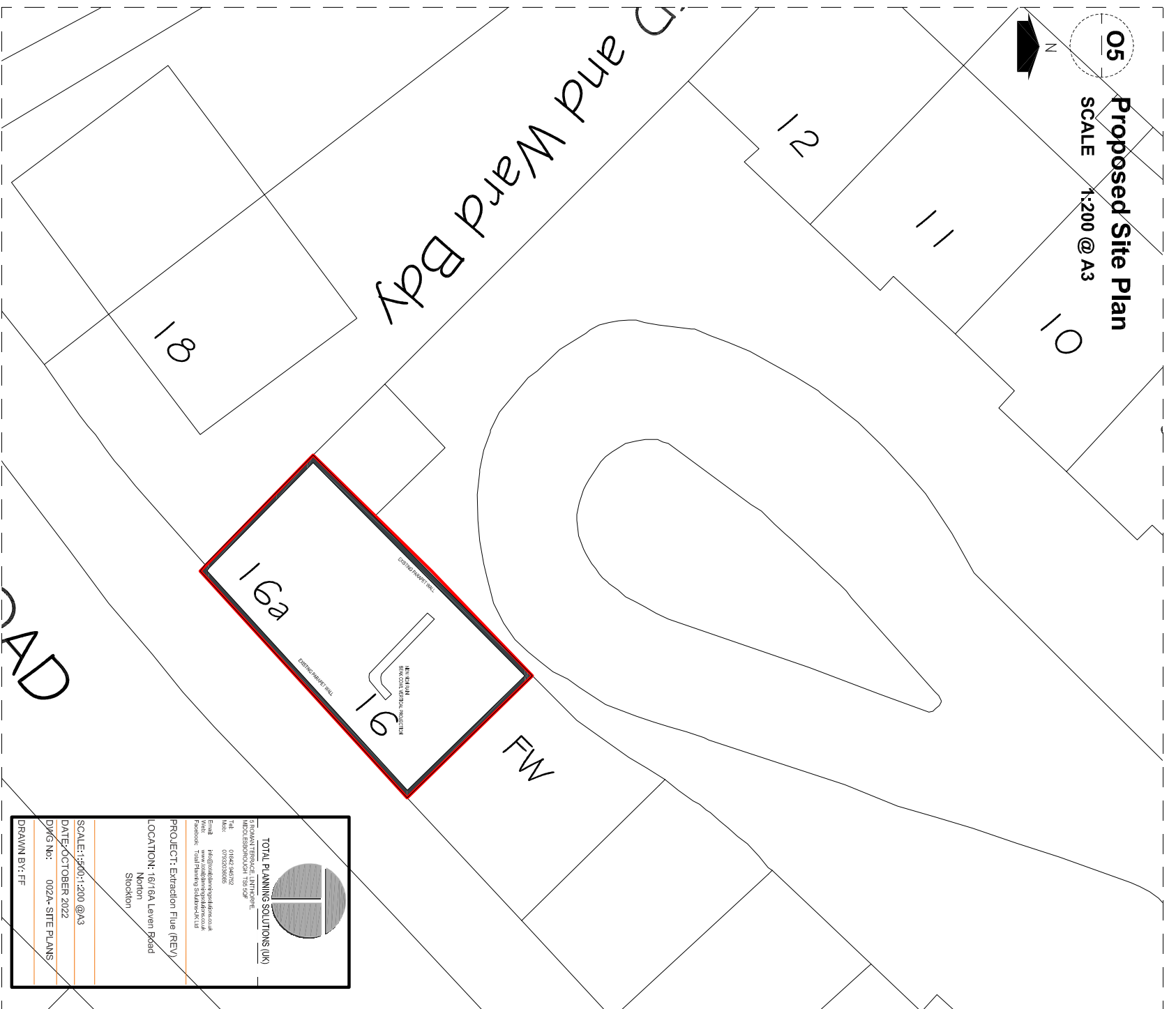
SCALE: 1:1250 @ 1:100 @ A2
 DATE: OCTOBER 2022
 DWG No: 001/1A- FULL PLANS
 DRAWN BY: FF

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04
Proposed Site Plan

SCALE 1:500 @ A3



05
Proposed Site Plan

SCALE 1:200 @ A3

	TOTAL PLANNING SOLUTIONS (UK) TOTAL PLANNING SOLUTIONS (UK) LTD 100, BRISTOL ROAD, BRISTOL, AVON, BS1 3YD TEL: 01454 34412 FAX: 01454 34413 EMAIL: info@totalplanning.co.uk WEBSITE: www.totalplanning.co.uk
	PROJECT: Extraction Flue (REV) LOCATION: Norton Stockton SCALE: 1:500 @ A3 DATE: OCTOBER 2022 DWG NO.: 002A- SITE PLANS DRAWN BY: FF

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DELEGATED

**AGENDA NO
PLANNING COMMITTEE
7 JUNE 2023
REPORT OF DIRECTOR OF FINANCE,
DEVELOPMENT AND BUSINESS SERVICES**

21/1270/RET

16-16A Leven Road, Norton, Stockton-on-Tees

Retrospective application for change of use to café/hot food takeaway to include the installation of a flue and associated abatement system.

Expiry Date 9 June 2023

SUMMARY

The application site is an end of terrace commercial unit, 16-16A Leven Road, Norton which is located to the east of Norton High Street. The premises as live within both the boundaries of Norton Conservation Area and District Centre.

Planning permission is sought retrospectively for the change of use of the property to a cafe/hot food takeaway to include the installation of a flue, following an enforcement complaint and investigation.

During the course of the application, the applicant and agent have worked with Planning and Environmental Health Officers to agree to a satisfactory odour abatement system, which has recently been installed at the site.

The application is referred to planning committee as six letters of objection have been received meaning it falls outside of officer's scheme of delegation.

The application site is situated on the western edge of Norton District it is considered that the proposed change of use would not lead to a harmful overconcentration of non-retail units and consequently would not undermine the overall vitality or viability of the centre.

The external works to the building therefore revolve around the addition of the associated flue which following concerns over its appearance, the applicant has changed so it lays horizontally across the roof of the building and it is no longer visible from Leven Road and only a small element is visible from the Fox Almshouses.

The proposed unit will be created from an existing single storey commercial premise and a degree of activity already occurs within the immediate locality. A flue is proposed to be positioned to the rear of the building. The applicant has submitted details of the proposed flue, including noise, odour mitigation and servicing and the Council's Environmental Health Unit have been involved in discussions with the applicant to secure satisfactory proposals.

For those reasons detailed within the report, the proposal is therefore recommended for approval subject to conditions.

RECOMMENDATION

That planning application 21/1270/RET be approved subject to the following conditions and informatives;

Approved Plans

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

Plan Reference Number	Date Received
------------------------------	----------------------

TPS001A	10 October 2022
---------	-----------------

TPS002A	10 October 2022
---------	-----------------

Reason: To define the consent.

Operating Hours

- 02 The hereby approved hot food takeaway use (sui generis) shall not be open to customers outside the hours of 09:00 - 22:00 Monday to Sunday.

Reason: In the interests of the amenity of neighbouring residential occupiers.

Service Deliveries to the Premise

- 03 No deliveries or associated service vehicles shall serve or visit the Hot Food Takeaway outside of the hours of 07:00 - 19:00 Monday to Sunday.

Reason: To prevent noise and disturbance in the interests of the amenity of the

Extraction System Specification

- 04 The extraction system hereby approved shall be maintained in accordance with the submitted and approved extraction specification details as shown on drawing TPS001A (10 October 2022) and including the carbon filtration box with pre-filtration and twin carbon filters. The extraction system and carbon filtration box shall be operated and maintained in strict accordance with the submitted service agreement (J&T Ventilation Services, dated 1st March 2023) for the lifetime of the development.,

Reason: In order to control of odours management, in the interest of the amenity of the surrounding area.

Paint colour of odour abatement system

- 05 Within one month of the date of this permission, the rear bend (adjacent to the Fox Almshouses) of the hereby approved odour abatement system (as indicated on plan TPS001A, 10 October 2022) shall be painted black and this paint colour shall be retained and maintained for the lifetime of the development.

Reason; In the interests of the visual amenity of the conservation area and adjacent listed buildings The Fox Almshouses.

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.

BACKGROUND

1. The planning application was submitted following a planning enforcement investigation.

SITE AND SURROUNDINGS

2. The application site is an end of terrace commercial unit, 16-16A Leven Road, Norton which is located to the east of Norton High Street.
3. To the east is 14 Leven Road which is currently in use as a newsagents. To the north are the grade II listed Fox Almshouses, whilst located to the south and west are the residential properties of Leven Road.
4. The premises as live within both the boundaries of Norton Conservation Area and District Centre.

PROPOSAL

5. Planning permission is sought retrospectively for the change of use of the property to a cafe/hot food takeaway to include the installation of a flue.
6. During the course of the application, the applicant and agent have worked with Planning and Environmental Health Officers to agree to a satisfactory odour abatement system, which has recently been installed at the site.

CONSULTATIONS

7. The following consultees were notified and the associated comments were received (in summary);

Environmental Health Unit - I have checked the documentation provided, including the submitted Noise Report (16/12/2021, Ref 6991RD) which was requested from the applicant to assess the level of noise from the flue and air conditioning unit that has been installed on the roof of the premises.

I am satisfied that the recommendations in the report will ensure there is "No Observable Effect" upon the nearest residential receptors as a result of noise from the units. I would have no objection to approval of the application on noise grounds subject to confirmation by the applicant of the installed measures in the report.

The odour abatement measures that have been installed are suitable for high odour premises, and includes flue and extract canopy, grease baffle filters and carbon filtration.

Local Ward Councillors Nelson and Evans - These are the joint comments of Councillors Steve Nelson and Lisa Evans. We have had complaints about parking issues residents inform us have arisen since the opening of the takeaway. We have asked the Council's Enforcement Service to monitor this location via both officer visits and adjacent CCTV. We would ask that any identified parking/traffic related issues are considered as part of this application. We have also had complaints from residents on the Almshouses at the rear of the property about the flue that has been installed there. These complaints relate to the visual impact of the flue, smells and noise. We note that the application includes a metre high fence to the rear which we assume is designed to hide the flue. If so we would ask officers to ensure that any such fence is in keeping with the location and does not merely replace one visual eyesore with another. Also this would not appear to address the issues of smell and noise which residents inform us causes them to have to close their doors and windows even on hot days. We have made

Environmental Health aware of these issues and they are currently investigating residents complaints and will obviously feed their findings and recommendations into the decision making process as statutory consultees. We understand the building falls just within the boundary of the conservation area and if so would ask the relevant Heritage Officer to ensure the works are acceptable having regard to that. Finally this may be a semantical point but the application refers to the establishment being a café when in fact it seems to be operating solely as a takeaway "

Highways Transport & Design Manager - no objections to this application.

Highways Comments

There are no highway objections to the proposed retrospective application.

Landscape & Visual Comments

There are no landscape and visual objections to the proposed retrospective application.

PUBLICITY

8. Neighbours properties were notified alongside wider publicity in the form of a site notice and press advert and the following comments were received (in summary);

Mr and Mrs D A Daly, 14 Fox Alms Houses High Street – The unit emits cooking smells which is at times overpowering and already experience problems from the Highland Laddie's extraction system which is a few yards away. Concerns are also expressed with regards to additional flues and extraction units which have been erected at other premises on Leven Road.

The Grade II listed building should be protected from these intrusions

Mrs Siani, 7 Fox Alms Houses Norton – Objects to the flue installed on the flat roof opposite and is concerned over potential health implications. The flues are considered to be distressing and ugly given the properties are listed buildings.

Mr David Durham, 18 Leven Road Norton, - The noise and smell coming from the takeaway is constant and very irritating, I can hear it in every room of my house even above my television and cannot use my garden because of the constant noise and smell, the change to the flue seems to have made the noise even worse.

Fred Dunn, 13 Leven Road Norton – concerned that if people sit on the roof they will be able to see into the properties opposite also if the flue is extended it will cause the grease to spread further. The pavement outside of the shop is already quite bad.

J Hill, 12 Fox Almshouses Norton -

Whilst the flue has been taken down, it has not been removed and lays across the roof, it is now even worse in terms of noise and smell. The noise starts at around 2.15pm and sometimes goes on until midnight even though it closes at 10pm. Is concerned over the implications for the listed buildings as the alterations have implications for the surroundings.

S And P Stead, 11 Fox Almshouses Norton –

The flue affects the listed buildings and is directly in front of the property. The flue is noisy and smells, which affects the bedrooms which are located at the front of the Almshouses, which operates from 2.30pm to midnight. The associated impacts affect the ability to sit out and enjoy the garden.

Whilst the flue has been changed, it is still visible and cooking smells are still present.

PLANNING POLICY

9. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires 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 is the Stockton on Tees Borough Council Local Plan 2019.
10. 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 shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

National Planning Policy Framework

11. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.
12. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;
 - approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Para 81. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Para 130. Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Local Planning Policy

13. The following planning policies are considered to be relevant to the consideration of this application

Policy SD1 - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
- Specific policies in that Framework indicate that development should be restricted.

Policy SD4 - Economic Growth Strategy

1. Economic development needs will be directed to appropriate locations within the Borough to ensure the delivery of sustainable economic growth.

Policy SD5 - Natural, Built and Historic Environment

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:

a. Ensuring that development proposals adhere to the sustainable design principles identified within

Policy SD8 – Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;

b. Landscape character of the area, including the contribution made by existing trees and landscaping;

c. Need to protect and enhance ecological and green infrastructure networks and assets;

d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;

e. Privacy and amenity of all existing and future occupants of land and buildings;

f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;

- g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
 - h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.
2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
 3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
 4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.
 5. New commercial development will be expected to provide appropriately designed signage and shop fronts.

Economic Growth Policy 2 (EG2) - Managing Centres

Maintaining Vitality & Viability

1. The Council will seek to maintain and enhance the vitality and viability of all centres in the Town Centre Hierarchy, as defined in Policy SD4 and represented on the Policies Map. Proposals for the change of use, or redevelopment of premises, away from retail (Use Class A1) will only be supported where it can be demonstrated that:
 - a. The proposal will contribute to the centre's vitality and viability and does not detrimentally impact on the retail function of the centre; and
 - b. The proposal does not result in the unjustified loss of a key retail unit which due to its size, location or other characteristic is an important component of the retail function of the centre; and
 - c. The proposal does not result in an over-concentration of non-retail or evening economy uses to the detriment of the vitality and viability of the centre; and
 - d. Proportionate evidence has been provided to demonstrate that the premises are no longer required for retail purposes.
2. In addition to the above, within town, district and local centres the Council will support proposals for food and drink (Use Classes A3, A4 and A5) and other evening economy uses providing the activities in the area do not result in a harmful over-concentration of that use, either as a proportion of the centre overall or as a cluster within the centre.

Stockton Town Centre

3. The Primary Shopping Area, as defined on the Policies Map, will continue to be the main town centre shopping location in the Borough. The Council will aim to retain and enhance the retail function of the town centre whilst seeking a reduction in the number of vacant ground floor commercial units. In addition to the criteria above, the vitality and viability of the Primary Shopping Area will be maintained and enhanced by:
 - a. Directing proposals for hot-food takeaways (Use Class A5) and uses that operate principally outside daytime hours away from the Stockton Primary Shopping Frontage, with significant clusters of these uses resisted elsewhere in the town centre; and
 - b. Resisting development proposals that would result in a harmful over-concentration of nonretail uses to the detriment of the vitality and viability of the Primary Shopping Area; and
 - c. Resisting proposals for ground floor residential development within the Primary Shopping Area; and
 - d. In order to consolidate the retail offer of the centre, encouraging proposals which reduce the proportion of retail uses (Use Class A1) in the wider town centre, outside the Stockton Primary Shopping Area, that provide opportunities for a wider variety of town centre uses, including offices (Use Class B1), hotels (Use Class C1) and assembly and leisure (Use Class D2).
4. The Council will support proposals for food and drink uses (A3, A4, A5 Use Class) and other

evening economy uses outside the Stockton Primary Shopping Frontage, providing the activities do not result in a harmful over-concentration of that use in that area, either as a proportion of the centre overall or as a cluster within the centre.

5. Proposals to reconfigure and modernise commercial units throughout the town centre, whilst protecting and enhancing the historic character of the area, will be encouraged.

Economic Growth Policy 3 (EG3) - Protecting Centres

1. Subject to the scale and catchment of the proposal, retail (A1 use class) development will be directed to suitable and available sites and premises in defined centres, as identified on the Policies Maps, in the following sequence:

- a. Stockton Town Centre Primary Shopping Area; then,
- b. Sites within the boundaries of Stockton Town Centre; then,
- c. Sites within the ground floor shopping frontages of the District Centres; then,
- d. Sites within the boundaries of the District Centres; then,
- e. Sites on the edge of Stockton Town Centre which have the opportunity to connect to the defined Primary Shopping Area; then,
- f. Sites on the edge of the District Centres which have the opportunity to connect to the District Centre's main shopping areas or frontages; then,
- g. Sites within the Local Centres; and finally,
- h. Sustainable out-of-centre locations within the limits to development.

2. Other main town centre uses will be directed to suitable and available sites and premises in the following locations, subject to the scale and catchment of the proposal:

- a. Town and District Centres, and for office development only, Principal Office Locations; then,
- b. Sites on the edge of the Town and District Centres, which are well served by public transport and have a high likelihood of forming links with the centre; then,
- c. Within the boundaries of the Local Centres; then,
- d. Sustainable out-of-centre locations within the limits to development.

Historic Environment Policy 2 (HE2) - Conserving and Enhancing Stockton's Heritage Assets

1. In order to promote and enhance local distinctiveness, the Council will support proposals which positively respond to and enhance heritage assets.

3. Development proposals should conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. Where development will lead to harm to or loss of significance of a designated or non-designated heritage asset the proposal will be considered in accordance with Policy SD8, other relevant Development Plan policies and prevailing national planning policy.

6. The following are designated heritage assets:

- c. Conservation Areas - Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Eggescliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm
- d. Listed Buildings

MATERIAL PLANNING CONSIDERATIONS

14. The main considerations of this application are the principle of development, the impact on the street scene, heritage assets, the impact on the amenity of neighbouring occupiers and highway safety.

Principle of development

15. The application site is located within the limits to development and is also located with Norton District Centre and conservation area. The National Planning Policy Framework states hot food takeaways are considered to be a main town centre use and should be directed to these locations in the first instance.

16. Local Plan policies EG2 and EG3 seek to manage and protect the defined retail centres by maintaining and enhancing the vitality and viability of all centres within the Boroughs Hierarchy, with EG2 seeking amongst others to ensure proposals for a change of use away from retail use, are only supported where the retail function of the centre is not undermined and there would not be an over-concentration of non-retail or evening economy uses to the detriment of the vitality and viability of the centre. Policy EG3 also directs main town centre uses within the hierarchy of town and district centres.
17. The application site is situated on the western edge of Norton District Centre and is a relatively small commercial premises which is situated at the end of a range of commercial premise which includes a range of different uses. Considering both the Leven Road element of Norton district centre and the wider centre as a whole, it is considered that the proposed change of use would not lead to a harmful overconcentration of non-retail units and consequently would not undermine the overall vitality or viability of the centre.
18. Overall it is considered that the proposals accord with the aims of policies EG2 and EG3 and the principle of development is considered acceptable, subject to those material considerations as indicated below.

Impact on the Character of the Surrounding Area

19. Planning policy SD8 states the Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the character and sensitivity of the surrounding buildings.
20. Local Plan policy HE2 relates directly to those applications which affect heritage assets, of which Norton conservation is one. It seeks to promote and enhance local distinctiveness and conserve and enhance heritage assets.
21. The external works to the building revolve around the addition of the associated flue. Originally the flue was a vertical 'jet' cowl which protruded above the buildings parapet and was visible to both Leven Road and the Fox Almshouses to the rear and was considered to adversely affect those two heritage assets.
22. However, following those concerns over the external appearance and impacts on the setting of the adjacent listed buildings and conservation area, the applicant changed the flue design so it lays horizontally across the roof of the building. This has minimised its visual impacts so that it is no longer visible from Leven Road and only a small element is visible from the Fox Almshouses. Subject to the bend of the flue being painted black, it is considered that the visual appearance of the flue is acceptable and a planning condition is recommended accordingly.
23. Overall and in view of the above considerations, the proposals would not cause significant harm to the character of the surrounding Conservation Area and nor would it adversely affect the overall character of the street scene, subject to those conditions identified in the report above controlling the nature and colour of the flue. The proposal therefore accords with the provisions of Local Plan Policy SD8 and HE2.

Setting of Listed Building

24. The Fox Almshouses are a series of terraced bungalows which have a landscaped frontage and face towards the rear of the application site. The proposed flue would be situated approximately 19 metres from the frontage of the listed buildings.
25. As detailed in the report above, the original flue has been changed as a result of concerns over the associated impacts on the setting of the Fox Almshouses, consequently, the applicant changed the flue design minimising its external appearance and the impacts on the setting of the adjacent listed buildings

26. As above, subject to the flue being painted black, it is considered that the impacts on the setting of the Fox Almshouses would be limited and not adversely affect the setting of those listed buildings and the proposals accords with Policy HE2.

Impact on the amenity of neighbouring occupiers

27. Planning Policy SD8 seeks to provide sufficient levels of amenity for all existing and future occupants of land and buildings.
28. The proposed unit will be created from an existing single storey commercial premise and it is well established that food and drink uses can result in noise and disturbance to neighbouring occupiers given that those premises are often open late into the evening and attract patrons. As a degree of activity already occurs within the immediate locality, the proposals are not considered to have a significant impact on those levels of activity to warrant a refusal of the application.
29. It is noted that a number of residents have raised concerns over odour and noise from the extraction system during the course of the application. As above, amendments to the flue extract system have been made to address visual concerns and likewise Officers have fully considered the implications for both noise and odour.
30. As part of the proposed development, a flue is proposed to be positioned to the rear of the building. The applicant has submitted details of the proposed flue, including noise, odour mitigation and servicing arrangements and the Council's Environmental Health Unit have been involved in discussions with the applicant to secure satisfactory proposals. They have considered the relationship between the proposed commercial unit and the surrounding properties and raise no objections. However, planning conditions are recommended with regards to opening hours, delivery hours and the odour abatement system.
31. Therefore on balance and subject to the recommended conditions, it is considered that the proposed change of use would not impact upon the amenity of any surrounding occupiers by way of noise disturbance or odour.

Impact on highway safety

32. The Highways Transport & Design Manager has considered the information forming part of the application and raises no objections to this application. Additionally, being located in close proximity to Norton Centre, there are places for public parking as well as access to public transport. Consequently, it is considered that the proposal would not adversely impact upon highway safety.

Residual Matters;

33. Concerns expressed with regards to additional flues and extraction units which have been erected at other premises on Leven Road are noted and have been picked up through the planning enforcement process. Such matters have no bearing on the outcome of this application which has been amended to make it acceptable in planning terms.
34. Matters relating to grease on the pavement along Leven Road are noted and where picked up directly between Environmental Health and the applicant, no new recent complaints on this issue have been raised via the planning application.
35. For clarity, the roof of the premise is not to be used for additional seating.

CONCLUSION

36. In view of the above, the proposed development subject to those conditions recommended within the report, are considered to adequately mitigate the visual impacts on the character of the area and setting of the listed buildings. Additional measures to reduce odour have also been installed and these are all controlled along with the maintenance/servicing arrangements, ensuring satisfactory levels of residential amenity for surrounding residents.

37. The proposal is therefore recommended for approval subject to those considerations identified in the report above.

Director of Finance, Development and Business Services
Contact Officer Simon Grundy Telephone No 01642 528550

WARD AND WARD COUNCILLORS

Ward	Norton North (Pre May 2023)
Ward Councillor	Councillor S I Nelson LLB(Hons) BA (Hons)
Ward Councillor	Councillor Lisa Evans

IMPLICATIONS

Financial Implications:

No known implications

Environmental Implications:

The implications of the application in respect of visual impact, odour and noise have been considered and as set out within the report, the application is considered to be satisfactory.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

Stockton on Tees Local Plan Adopted 2019

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Stockton on Tees Borough Housing Supply and Delivery: Annual Position Statement 2022/23 to 2026/27

Published May 2023

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Executive Summary

The National Planning Policy Framework (NPPF) identifies that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

This report sets out the five-year housing land supply assessment, for the period 1 April 2022 to 31 March 2027 (2022/23 to 2026/27). As the Stockton-on-Tees Local Plan was adopted on the 30th January 2019 the assessment is considered against the housing requirement set out within Policy SD2 'Strategic Development Needs' of the Local Plan.

The NPPF requires an additional buffer be identified in the five-year supply, dependent on local circumstances and previous housing delivery. Accordingly, a 5% buffer has been added within this assessment.

This report concludes that the Council are able to demonstrate **5.21** years supply of deliverable housing sites over the period covered by this assessment.

Introduction

The National Planning Policy Framework (NPPF) identifies that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

This report sets out the five-year housing land supply assessment, for the period 1 April 2022 to 31 March 2027 (2022/23 to 2026/27). As the Stockton-on-Tees Local Plan was adopted on the 30th January 2019 the assessment is considered against the housing requirement set out within Policy SD2 'Strategic Development Needs' of the Local Plan which is:

- 720 dwellings (net) per annum from 2017/18 to 2021/22
- 655 dwellings (net) per annum from 2022/23 to 2031/32

As part of emerging reforms to the planning system that are being introduced through the Levelling-up and Regeneration Bill Government released a consultation on 'reforms to national planning policy' which was accompanied by a draft revised NPPF. The consultation will influence changes to the planning system in the future, whilst the revised NPPF is expected to be adopted in 'spring 2023'.

If / when published the changes that could come in to force include the removal of the requirement for local authorities with a Local Plan adopted in the last five-years to demonstrate annually it's five-year housing supply and other adjustments to methodology discussed at relevant points in this paper

Housing Requirement

Previous over / under supply

This five-year supply assessment covers years 6 to 10 (2022/23 to 2026/27) of the housing requirement set out in the Local Plan. It is therefore necessary to consider any over/undersupply against the Local Plan housing requirement in the first 5-years of the Local Plan period. Net delivery against the housing requirement is detailed below:

Figure 1: Previous delivery against Local Plan requirements

	Net delivery	Local Plan requirement	Annual Difference	Cumulative Balance
Year 1 (2017/18)	770	720	+50	+50
Year 2 (2018/19)	795	720	+75	+125
Year 3 (2019/20)	1,012	720	+292	+417
Year 4 (2020/21)	582 ¹	720	-138	+279
Year 5 (2021/22)	337	720	-383	-104
Total	3,496	3,600		-104

Annual delivery in the first three years of the Local Plan led to cumulative delivery exceeding the housing requirement in the Local Plan. This meant that previous housing supply assessments have documented cumulative housing delivery also exceeding the Local Plan target, despite lower delivery in 2020/21 as a result of the Covid pandemic.

Annual delivery in 2021/22 was 383 dwellings below the Local Plan target, because of a combination of low gross housing delivery as construction sector continues to recover from Covid, and the commencement of the demolition

¹ Figure differs from Housing Flows Reconciliation (616 dwellings) as loss of communal accommodation in care homes has been factored in to this figure, a deduction of 34 dwellings.

of Anson and Hudson House in Thornaby a loss of 184 dwellings. Therefore, as of 1st April 2022 housing delivery was -104 dwellings below the cumulative housing requirement

Planning Practice Guidance (PPG) is clear that where areas deliver fewer new homes than required, the deficit should be added to the housing requirement used to calculate the five-year supply assessment. additional supply can be used to offset any shortfalls against requirements from previous years. However, the Council is aware of various appeal decisions, where Inspectors did not support an approach whereby an oversupply figure is ‘banked’ so as to reduce the annualised target in later years of the plan period as this would run contrary to the NPPF ambition to significantly boost the supply of housing.

The December 2022 planning reform consultation also indicate that changes will be introduced which bring the ‘position on oversupply in line with that on undersupply, when calculating a 5-year housing land supply. This will enable a local planning authority to include historic oversupply in its 5-year housing land supply calculations and to demonstrate it is meeting its community’s overall housing requirements. This would be implemented by amending the Framework and planning practice guidance.’

Accordingly, the five-year requirement in this paper has been increased by 104 dwellings.

Five Year Local Plan Requirement

The Local Plan housing requirement for 2021/22 to 2025/26 is **3,275** dwellings. This is calculated based on:

- 0 years at 720 dwellings per annum; and
- 5 years (2022/23 to 2026/27) at 655 dwellings per annum

Buffer

The NPPF requires an additional buffer be identified in the five year supply, dependent on local circumstances and previous housing delivery. Footnote 39 of the NPPF states that significant under delivery will be measured annually against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement. Past results of the Housing Delivery Test are set out in Figure 2 below. As can be seen the Council has comfortably passed the test during this period.

Figure 2 – Housing Delivery Test Results for Stockton on Tees Borough.

Result	Annual Period included	Total no. of homes required	Total no. of homes delivered	Housing Delivery Test	
				Measurement	Consequence
2018	Y1 - 2015/16 Y2 - 2016/17 Y3 - 2017/18	1,654	2,058	124%	None
2019	Y1 - 2016/17 Y2 - 2017/18 Y3 - 2018/19	1,580	2,489	158%	None
2020	Y1 – 2017/18 Y2 – 2018/19 Y3 – 2019/20	1,461	2,577	176%	None
2021	Y1 – 2018/19 Y2 – 2019/20 Y3 – 2020/21	1,291	2,389	185%	None

In view of the results of the Housing Delivery Test and Government Guidance (Paragraph: 022 Reference ID: 68-022-20190722) a 5% buffer only should be added to the housing requirement. Furthermore, given the housing delivery identified in Figure 1 it is anticipated that the Council will pass the next iteration of the Housing Delivery Test. As a result there will be no further consequences for the

Council to consider during 2021/2022. The planning reform consultation has also consulted on the future use of the Housing Delivery Test in applying the presumption in favour of sustainable development. Five year supply requirement calculation

The five-year supply requirement is calculated based on figure 3 below:

Figure 3: Five year supply requirement calculation

Input	Quantum
A. five year Local Plan housing requirement (2022/23 to 2027/28)-	3,275
B. Under-delivery (2017/18 – 2021/22)	104
C. buffer percentage	+5%
Five year requirement	3,548
Calculation	
$(a + b) \times (1 + c) = \text{Five year requirement}$ $3,379 \times 1.05 = \mathbf{3,548}$	

The recent Planning Reform consultation also signals Government’s intention to remove the requirement for a buffer from the five-year supply. This would have the effect of lowering the housing requirement by more than 150 dwellings.

Delivery

To be included within the five-year supply sites must be considered deliverable. Annex 2 of the NPPF identifies the following definition of deliverable:

“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”*

Principally sites identified within the trajectory are those that have planning permission or are allocations within the Local Plan. As the Council have recently adopted the Local Plan a review of the SHLAA has not been undertaken to identify other deliverable sites. Other sites will not be included unless the Council has specific evidence to consider them as deliverable such as where registered providers have identified plans for demolition and rebuild.

The Council have sought to obtain delivery information from landowners, agents and developers of larger sites (those of 5 dwellings and above) and where no information has been received cautious assumptions have been made.

PPG advises that local planning authorities may develop a range of assumptions and benchmarks to inform and test assessments. Based on experience it is not considered that prescriptive assumptions should be rigorously applied within a five-year assessment and that the most robust outcomes are achieved through a rounded assessment of sites based on site specific factors and available information.

Unless considered overly optimistic or pessimistic delivery information provided by landowners, agents and developers has been used. When reviewing delivery information provided by developers, landowners and agents, and, making assumptions for sites where no information has been forthcoming the Council have considered the following:

- Where development is already proceeding past delivery rates (as these provide a useful indication of potential future phasing)
- The nature of the consent, if any exists (outline content, reserved matters or a full application). Where a site has outline planning permission, permission in principle, allocated in a development or identified on a brownfield register what information is available regarding progress towards the submission of an application, progress with site assessment and any other relevant information regarding the delivery of site.
- Whether there are any constraints that would or could impact or delay house building (such as viability, ownership or the need for infrastructure provision/remediation)
- Anticipated build rates based on the nature of the site; this could include numerous factors including the size of the site and the anticipated or actual number of outlets

Other factors which are considered include the market location, whether the site is part of a phased development (or is dependent on completion of an adjacent development), nature of house types and identified developer interest.

The full housing trajectory is provided within Appendix 1. This incorporates delivery and losses from the following sources:

- Large sites (planning permissions of five or more dwellings and Local Plan allocations)
- Small sites (planning permissions of less than 5 dwellings)
- Demolitions and losses
- Windfall sites

Further information on each source of delivery is detailed in the sections below.

Nutrient Neutrality

In March 2022 Natural England, the Government's advisor on the natural environment, wrote to the 10 local authorities within the catchment of the River Tees to advise on nutrient pollution affecting protected habitats on the River Tees. This letter and the accompanying information highlighted that nitrogen released via residential development, industrial development, agriculture and other process is encouraging the growth of invasive vegetation within the Tees Estuary, which is a designated Special Protection Area and Site of Special Protection Area. This process is known as eutrophication.

The letter from Natural England stated:

“Natural England advises you, as the Competent Authority under the Habitats Regulations, to carefully consider the nutrients impacts of any new plans and projects (including new development proposals) on habitats sites and whether those impacts may have an adverse effect on the integrity of a habitats site that requires mitigation, including through nutrient neutrality.”

The legal framework protecting these habitats has required the Council to pause the determination of decisions on a variety of types of application for new residential development. The Council is working with the other affected local authorities within the catchment, as well as other stakeholders, to better understand the issue and undertake appropriate actions to deliver mitigation.

On 20th July 2022 a Ministerial Statement was made by the Secretary of State for Environment, Food and Rural Affairs which identified, amongst other things that the Government:

*“We will make clear in planning guidance that judgements on deliverability of sites should take account of strategic mitigation schemes and the accelerated timescale for the Natural England's mitigation schemes and immediate benefits on mitigation burdens once legislation requiring water treatment upgrades comes into force. **DLUHC will revise planning guidance over the summer to reflect that sites affected by nutrient pollution forming part of housing land supply calculations are capable of being considered deliverable for the purposes of housing land supply calculations, subject to relevant evidence to demonstrate deliverability. It will be for decision takers to make judgements about impacts on delivery timescales for individual schemes in line with the National Planning Policy Framework.**”*

At the time of writing no guidance has been published by Government to inform the assessment of sites. In order to undertake this assessment the Council has reviewed which developments are constrained by this issue and adjusted the delivery of development accordingly. The introduction of mitigation schemes and a refined Nutrient Neutrality Calculator for the Tees area mean that it is now anticipated that planning permissions will be delivered during 2023 which will enable stalled sites to be permitted with development to follow, albeit at a reduced level. It should also be noted that the consultation draft of the NPPF (December 2022) made no allowances for areas like the Tees Catchment that have become constrained by Nutrient Neutrality issues.

Large sites

Appendix 1 provides details of large sites (planning permissions of five or more dwellings and Local Plan allocations). It is anticipated that 3,591 dwellings will be delivered from this source over the five-year period. In order to be consistent with previous assessments sites ranging between 5 – 10 dwellings are included in the above figure rather than in the small-sites trajectory (see below). A cautious approach has been taken to the delivery from these schemes following a review of the deliverability of these sites.

Small sites

Appendix 2 provides details of small sites (less than or equal to 5 dwellings) with planning permission. A total of 91 dwellings remain to be completed. The following provides a summary of the nature of these sites:

- Sites where development is under construction – 46 dwellings
- Detailed planning permissions where development has not started- 36 dwellings
- Sites with outline planning permission (or permitted development) – 9 dwellings

The above sites do not involve major development; therefore, the NPPF is clear that they should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years. In addition, it is considered appropriate to include an implementation rate within the assessment of 80%. This would see the delivery of a further **73** units within the five-year period covered by this assessment which is both robust and conservative given the number of sites currently under construction and as a number of homes have already been removed from the supply prior to the application of this assumption.

Windfall sites

The NPPF advises that windfall sites are those “not specifically identified in the development plan” and that where an allowance is made for them there should be compelling evidence that they will provide a reliable source of supply. It is important that any windfall allowance is realistic and is based on sound evidence. Sources of windfalls include conversions to residential use, the subdivision of existing dwellings and other small sites. Whilst a site is considered a windfall where they have not been identified within the development plan this assessment only considers historic windfall delivery on the basis of sites located within the limits to development to ensure the windfall rate is not overestimated.

Windfalls can be categorised into small and large windfalls (i.e. those of less than 5 dwellings and those of 5 dwellings or more respectively). As detailed below there has been consistent delivery on small sites over the last 10 years of circa 32 dwellings per annum. An average delivery of 42 dwellings per annum from small sites was also identified in the 4 year period prior to this (2007/08 to 2011/12).

Figure 3: Past delivery on small sites

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	Average Annual
59	20	39	22	71	10	23	28	9	35	32

Delivery on small sites has rebounded during 2021/22 following the disruption caused by the Covid-19 pandemic. Furthermore, there have been numerous large windfall sites delivered and permitted in recent years which includes the conversion of commercial premises to flats. Based on this it is considered reasonable to assume that a degree of windfall delivery will continue to come forward in the future and that it is appropriate to continue to provide a modest windfall delivery of **45** units over the five-year period in order to avoid double counting when considered alongside small sites with planning permission.

Demolitions/losses

Appendix 3 provides details of sites where associated demolitions. A total of **12** demolitions/losses are identified which can be summarised as:

- Large sites with associated demolitions/losses- **0** units
- Small sites with associated demolitions/losses- **12** units
- Residential to non-residential losses- **0** units
- Planned demolitions- **0** units

All demolitions have been identified as being completed within this assessment. It is noted that many demolitions are associated large and small sites identified within this assessment. Therefore, this is a cautious assessment; especially considering an implementation rate of **80%** is being applied to small sites.

The demolition of two blocks of flats (Anson House and Hudson House, Thornaby) by the owner Thirteen Housing Group commenced within the 2021/22 period and the loss of these units is recorded during this period. As a result, the number of expected demolitions has been significantly reduced compared to previous iterations of this assessment.

Conclusion

The Council are able to demonstrate **5.21** years supply of deliverable housing sites over the five-year period 1 April 2022 to 31 March 2027 (2022/23 to 2026/27).

Figure 4: Five-year supply calculation

Input	Quantum
a) Five-year supply requirement (2022/23 to 2026/27)	3,548
b) Supply (2022/23 to 2026/27)	3,708
• Large sites	3,591
• Small Sites	72
• Windfall	45
c) Demolitions	12
Number of years supply	5.21
Calculation	
$((b-c) / a) \times 5 = \text{Number of years supply}$ $(3,708 - 12) / 3,548 \times 5 = 5.21$	

Location	Site Address	Reference	Site Status	Commentary	Total Units	17/18	18/19	19/20	20/21	21/22	Completed	Remaining	Under Construction	22/23	23/24	24/25	25/26	26/27
Billingham	Billingham Campus	Allocation H1.5.2	Allocation	No delivery assumed within the 5-year period	150	0	0	0	0	0	0	150	0					
Core Area	North Shore (Phase 4)	08/3644/EIS (21/0927/REM)	Commenced	Developer phasing adjusted to reflect more cautious approach.	75	0	0	0	0	0	0	75	0		25	25	25	
Core Area	North Shore (Phase 5)	08/3644/EIS (21/1589/REM)	Commenced	Developer phasing adjusted to reflect more cautious approach. Started on-site Summer 2022.	38	0	0	0	0	0	0	38	0		15	23		
Core Area	Victoria Estate, Stockton	19/0520/FUL	Commenced	Assume delivery inside 5-year period.	143	0	0	0	21	38	59	84	43	21	21	21	21	
Core Area	Events Car Park. Navigation Way	16/1603/OUT (20/2804/REM)	Commenced	Assume delivery inside 5-year period.	117	0	0	0	0	0	0	117	0		25	31	31	30
Core Area	Queens Park, Norton Road	Allocation H1.3.2	Allocation	No delivery assumed within the 5-year period	120	0	0	0	0	0	0	120	0					
Core Area	Millfield Works Grangefield Road	18/1726/OUT	Commenced	Developer phasing adjusted to reflect more cautious approach. y	600	0	0	0	0	0	0	600	0					40
Core Area	Yarm Road Rec, Stockton	Allocation H1.3.4	Allocation	No delivery assumed within the 5-year period	30	0	0	0	0	0	0	30	0					
Eaglescliffe	Allens West, Durham Lane, Eaglescliffe	11/2842/EIS (20/0279/REM) (21/3113/VARY)	Detailed Permission	Development likely to commence within five-year period. Three companies expected to deliver the development.	845	0	0	0	0	0	0	845	0	66	127	157	157	157
Eaglescliffe	Hunters Rest Farm, Urlay Nook Road	18/0301/REV (19/2084/REM) (21/2095/VARY)	Commenced	Developer phasing provided and utilised.	108	0	0	0	0	0	0	108	11	25	33	33	17	
Eaglescliffe	Eaglescliffe Golf Club, Yarm Road	Allocation H1.5.7	Commenced	No delivery assumed within the 5-year period	150	0	0	0	0	0	0	150	0					
Eaglescliffe	Hunters Rest, South of Urlay Nook Road	15/2752/FUL (20/1898/FUL)	Commenced	Assume delivery inside 5-year period.	22	0	0	0	0	0	0	22	22	5	7	10		
Ingleby Barwick	River View Zone A, Village 6, Ingleby Barwick	04/2404/REM	Commenced	Assume delivery inside 5-year period.	54	0	0	0	0	0	53	1	1	1				
Ingleby Barwick	Land In The Vicinity Of Betty's Close Farm	06/1064/OUT (09/1340/REM)	Commenced	No delivery assumed within the 5-year period y	17	0	0	0	0	0	1	16	1					
Ingleby Barwick	The Rings	14/3035/REM	Commenced	Assume delivery inside 5-year period.	475	92	85	62	81	106	448	27	24	27				
Ingleby Barwick	Land Adjacent To Thornaby Road (Phase 3)	15/0931/OUT & 18/0195/OUT	Outline Permission	Land-owner phasing adjusted to reflect more cautious approach. y	200	0	0	0	0	0	0	200	0			10	35	35
Ingleby Barwick	Land off Roundhill Avenue Ingleby Barwick	15/2531/OUT (18/1459/REM) (22/0275/VARY)	Commenced	Assume delivery inside 5-year period.	65	0	0	0	0	0	0	65	0	10	25	25	5	
Ingleby Barwick	Lowfield ,Low Lane,High Leven	16/0323/OUT 16/3079/OUT 17/1820/OUT (20/0893/FUL)	Commenced	Assume delivery inside 5-year period.	69	0	0	0	0	0	0	69	12	9	15	15	15	15

Location	Site Address	Reference	Site Status	Commentary	Total Units	17/18	18/19	19/20	20/21	21/22	Completed	Remaining	Under Construction	22/23	23/24	24/25	25/26	26/27
Ingleby Barwick	Land at Welwyn Road, Ingleby Barwick	21/1641/FUL	Commenced	Developer phasing provided and utilised. y	212	0	0	0	0	0	0	212	2	12	48	48	48	48
Ingleby Barwick	Land at Low Lane / Little Maltby Farm	12/2571/OUT & 14/0562/OUT (14/3012/REM) 13/3107/OUT & 14/0569/REV & 15/0497/OUT	Commenced	No delivery assumed within the 5-year period y	618	0	0	0	0	0	0	618	0					
Rural	Land East of Jasper Grove, Morrison Street, Stillington	17/2912/FUL	Commenced	Assume delivery inside 5-year period.	55	0	0	0	21	19	40	15	0	15				
Rural	The Mains Nursing And Residential Home, Drovers Lane, Redmarshall	18/2804/FUL (16/1004/OUT)	Detailed Permission	Assume delivery inside 5-year period.	11	0	0	0	0	2	2	9	9	5	4			
Rural	Land South Of Kirklevington	15/1643/OUT (19/2639/REM)	Commenced	Assume delivery inside 5-year period.	145	0	0	0	0	52	53	92	43	35	35	22		
Rural	Land West Of St Martins Way, Kirklevington	16/3035/OUT (21/1721/REM) (21/0156/FUL)	Detailed Permission	Developer phasing adjusted to reflect more cautious approach.	97	0	0	0	0	0	0	97	0		21	25	26	25
Rural	Returnable Packaging Services Limited	17/1912/OUT	Allocation	No delivery assumed within the 5-year period . Landowner has actively been seeking alternative uses on the site.	40	0	0	0	0	0	0	40	0					
Rural	Thorpe Beck Farm, Durham Road, Thorpe Thewles, TS21 3JN	18/2696/FUL	Commenced	Assume delivery inside 5-year period.	31	0	0	0	2	7	9	22	22	11	11			
Stockton	Summerville Farm, Durham Road, Stockton-on-Tees	17/2735/REM & 19/0270/FUL	Commenced	Assume delivery inside 5-year period.	354	0	10	109	30	56	205	149	56	30	30	30	30	29
Stockton	Tithebarn Land	14/2291/EIS (21/0249/REM) (21/1599/REM)	Outline Permission	Development likely to commence within five-year period. y	340	0	0	0	0	0	0	340	0			30	40	40
Stockton	Former Blakeston School	16/2445/FUL (20/0507/REM)	Commenced	Assume delivery inside 5-year period.	80	0	0	0	0	27	27	53	48	27	26			
Stockton	Land south of Junction Road	18/0471/FUL	Commenced	Assume delivery inside 5-year period.	96	0	0	0	42	41	83	13	0	13				
Stockton	Land East of Yarm Back Lane (Persimmon Homes & Taylor Wimpey Plots)	20/0191/EIS	Commenced	Developer phasing provided and utilised. Two companies expected to deliver the development.	969	0	0	0	0	0	0	969	30	52	130	135	135	135
Stockton	Remainder of allocation for Zone E	Allocation H1.6.b.E	Allocation	No delivery assumed within the 5-year period	31	0	0	0	0	0	0	31	0					
Stockton	Darlington Back Lane	Allocation H1.5.1	Allocation	No delivery assumed within the 5-year period	25	0	0	0	0	0	0	25	0					
Stockton	Bowesfield	20/1211/FUL	Detailed Permission	Assume delivery inside 5-year period.	26	0	0	0	0	0	0	26	0			13	13	
Stockton	Bowesfield	Allocation H1.5.3	Allocation	No delivery assumed within the 5-year period	150	0	0	0	0	0	0	150	0					
Stockton	Bowesfield	Allocation H1.5.4	Allocation	No delivery assumed within the 5-year period y	37	0	0	0	0	0	0	37	0					

Location	Site Address	Reference	Site Status	Commentary	Total Units	17/18	18/19	19/20	20/21	21/22	Completed	Remaining	Under Construction	22/23	23/24	24/25	25/26	26/27
Stockton	Magister Road, Thornaby	Allocation H1.5.6	Allocation	No delivery assumed within the 5-year period	20	0	0	0	0	0	0	20	0					
Stockton	West Stockton- Zone A / Harrogate Lane	H1.6.a.A / 22/0334/EIS	Allocation	Development likely to commence within five-year period. y	558	0	0	0	0	0	0	558	0			35	35	35
Stockton	Harrogate Lane (Zone B remainder), West Stockton	Allocation H1.6.B®	Allocation	No delivery assumed within the 5-year period	91	0	0	0	0	0	0	91	0					
Stockton	Harrogate Lane (Zone D), West Stockton	Allocation H.1.6.D	Allocation	Development likely to commence within five-year period. y	392	0	0	0	0	0	0	392	0			30	45	45
Stockton	Reserve Land, Harrogate Lane, West Stockton	Allocation H1.6.b	Allocation	No delivery assumed within the 5-year period	400	0	0	0	0	0	0	400	0					
Thornaby	Anson & Hudson House, Westdale Road, Thornaby	20/2147/FUL	Commenced	Land-owner phasing adjusted to reflect more cautious approach. Demolition of two blocks of flats undertaken during 2022 creating development platform.	37	0	0	0	0	0	0	37	0			15	22	
Wynyard	The Wellington Club, Wellington Drive, Wynyard	10/2430/OUT / 17/1069/REV 21/2620/OUT	Detailed Permission	Development likely to commence within five-year period. Alternative larger proposal granted consent and likely to come forward for 126 dwellings.	44	0	0	0	0	0	0	44	0				22	22
Wynyard	Wynyard Park Allocation (Remainder)	Allocation H1.8	Commenced	Cautious approach to site delivery. y	728	0	0	0	0	0	0	728	0			30	45	60
Wynyard	Land South Of Wynyard Village	17/2811/REM	Commenced	Assume delivery inside 5-year period. Individual plots subject to separate applications.	16	0	0	0	0	0	0	16	0		4	4	4	4
Wynyard	Phase A- 138 dwellings	17/0909/REM	Commenced	Assume delivery inside 5-year period.	138	0	11	25	21	23	80	58	38	25	25	8		
Wynyard	Wynyard Village Extension, Phase F, Wynyard	17/2777/REM (20/0753/VARY) (21/2186/OUT)	Commenced	Developer phasing provided and utilised.	254	0	0	3	27	24	54	200	10	41	30	30	30	30
Wynyard	Land at Phase 3 Wynyard Woods, Wynyard, Stockton on Tees	21/2186/OUT	Commenced	Assume delivery inside 5-year period.	18	0	0	0	0	0	0	18	0		4	5	5	4
Wynyard	Land West of Maynard Grove	13/0342/EIS 20/2408/OUT	Commenced	Development likely to commence within five-year period.	130	0	0	0	0	0	0	130	0			30	40	40
Wynyard	Land East Of Hanzard Drive, South Of Bloomfield Drive/Applecross And North Of Glenarm Drive Wynyard	21/0345/FUL	Commenced	Assume delivery inside 5-year period.	20	0	0	0	0	0	0	20	0				20	
Wynyard	Land South of Wynyard Woods, Wynyard	21/1761/REM	Allocation	Assume delivery inside 5-year period.	66	0	0	0	0	0	0	66	0			17	25	24
Yarm	Mount Leven Farm, Leven Bank Road, Yarm	13/0776/EIS (15/2161/REM)	Commenced	No delivery assumed within the 5-year period y	332	0	0	0	0	0	0	332	0					
Yarm	LAND SOUTH OF GREEN LANE, YARM (East)	15/0194/REM	Commenced	Assume delivery inside 5-year period.	209	74	20	32	25	37	196	13	13	13				

Location	Site Address	Reference	Site Status	Commentary	Total Units	17/18	18/19	19/20	20/21	21/22	Completed	Remaining	Under Construction	22/23	23/24	24/25	25/26	26/27
Yarm	LAND SOUTH OF GREEN LANE, YARM (West)	15/2977/REM	Commenced	Assume delivery inside 5-year period.	159	55	27	29	17	19	157	2	2	2				
Yarm	Land off Busby Way, Mount Leven, Yarm	14/0807/OUT (17/2694/REM)	Detailed Permission	Assume delivery inside 5-year period. y	14	0	0	0	0	0	0	14	0				7	7
Yarm	Land South of Green Lane, East of Railway Line, West of A67 Yarm, TS15 9EH	18/0910/OUT (22/1846/REM) 16/1959/OUT (20/0813/REM)	Outline Permission	Development likely to commence within five-year period. y	300	0	0	0	0	0	0	300	0			30	35	35
Yarm	Tall Trees Hotel, PHASE 2 east	15/2152/REM / 20/0344/VARY	Commenced	Assume delivery inside 5-year period.	135	0	0	0	0	0	0	135	97	40	40	40	15	
Grand Total					####	221	153	260	287	451	1,467	9,189	484	485	701	927	948	860

Appendix C - Details of Demolitions and losses

Ref	Location	Reference	Address	Total	Completed	Remaining	Site Type
14/0807/	(blank)	(blank)	Land off Busby Way, Mount Leven, Yarm	1	0	(blank)	(blank)
16/2909/	(blank)	(blank)	2 Portrack Lane, Stockton-on-Tees, TS18 2HG	1	0	(blank)	(blank)
16/3146/	(blank)	(blank)	Knowles Farm, Kirklevington	1	0	(blank)	(blank)
17/2242/	(blank)	(blank)	118 Acklam Road, Thornaby, Stockton-on-Tees, TS17 7JR	1	0	(blank)	(blank)
18/0301/	(blank)	(blank)	Hunters Rest Farm, Urlay Nook Road	1	0	(blank)	(blank)
18/2287/	(blank)	(blank)	Annfields ,Barwick Lane,Ingleby Barwick	1	0	(blank)	(blank)
20/0718/	(blank)	(blank)	Vane Arms, Darlington Road, Long Newton	1	0	(blank)	(blank)
20/2834/	(blank)	(blank)	Long Drive,Darlington Lane,Stockton-on-Tees	1	0	(blank)	(blank)
21/0115/	(blank)	(blank)	31 Hartington Road, Stockton on Tees	1	0	(blank)	(blank)
21/1053/	(blank)	(blank)	412 Thornaby Road, Thornaby	1	0	(blank)	(blank)
21/2318/	(blank)	(blank)	Sutton Arms, Darlington Road, Elton	1	0	(blank)	(blank)
21/3062/	(blank)	(blank)	Flat 6 Durham Road Wolviston	1	0	(blank)	(blank)

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DELEGATED

**AGENDA NO
PLANNING COMMITTEE
7 JUNE 2023
REPORT OF DIRECTOR OF
FINANCE, DEVELOPMENT &
BUSINESS SERVICES**

Local Plan: Housing Supply Assessment (2022 – 2027)

SUMMARY

This report provides members with an update on the level of housing supply in the Borough based on the 5 years starting from 1st April 2021 (2022 – 2027).

RECOMMENDATION

Members are recommended to note the contents of this report

BACKGROUND

This report provides members with an update on housing supply and delivery in the Borough. The National Planning Policy Framework (NPPF) is clear that the implications of not being able to demonstrate a five-year housing supply or pass the housing delivery test are that the NPPF 'Presumption in Favour of Sustainable Development' will apply to planning applications.

The Council adopted the current Local Plan on the 30th January 2019, following an independent examination which identified that the Local Plan was a 'sound' document.

The NPPF requires Council's to update the five-year supply annually with updates published since the Local Plan was adopted. Appendix A of this report includes a further assessment which covers the period 2022 – 2027 and identifies 5.21 years of housing supply.

The report also identifies that the annual report is delayed following the imposition of Nutrient Neutrality and advise from DLUHC on what adjustments may be allowed for the purposes of housing land supply calculations, having not been published. In order to undertake this assessment a review of developments constrained by this issue have been considered and adjusted accordingly.

Government have not published revised Housing Delivery Test results for 2022 as yet following the consultation on planning reforms, and the latest figure remains that for 2021, in which the Housing Delivery Test for the Borough was 185% (a delivery of 2389 dwellings vs a requirement of 1291 dwellings).

**Director of Finance, Development & Business Services
Contact Officer David Bage**

WARD AND WARD COUNCILLORS

Ward	All wards
Ward Councillor	All Councillors

IMPLICATIONS

Financial Implications: None

Environmental Implications: All environmental considerations have been addressed in the main body of the report

Human Rights Implications: The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications: The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers; National Planning Policy Framework; Adopted Local Plan; Planning application files.