

PLANNING COMMITTEE

A meeting of Planning Committee was held on Wednesday 18 October 2023.

Present: Cllr Mick Stoker (Chair), Cllr Michelle Bendelow (Vice-Chair), Cllr Carol Clark, Cllr Nigel Cooke, Cllr Dan Fagan, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Eileen Johnson, Cllr Tony Riordan, Cllr Andrew Sherris, Cllr Jim Taylor, Cllr Sylvia Walmsley and Cllr Barry Woodhouse.

Officers: Simon Grundy (DoF,D&R), Stephanie Landles (DoA,H and W), Martin Parker (DoCS,E&C), Julie Butcher (DoCS) and Sarah Whaley (DoCS).

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

Apologies: Cllr Stefan Barnes and Cllr Norma Stephenson OBE.

P/19/23 Evacuation Procedure

The Evacuation Procedure was noted.

P/20/23 Declarations of Interest

Councillor Barry Woodhouse advised that he may be deemed to be pre-determined in relation to item 23/0649/FUL 91 Wolviston Road, Billingham, Stockton-On-Tees. Cllr Woodhouse had submitted representation during the consultation process. Cllr Woodhouse spoke first on the item and then left the room prior to full Committee debate. Cllr Woodhouse did not take part in the vote.

P/21/23 Minutes of the meeting which was held on 5 July and 9 August 2023

Consideration was given to the minutes of the Planning Committee minutes from the meetings which were held on 5 July and 9 August for approval and signature.

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

P/22/23 Planning Protocol

The Planning Protocol was noted.

P/23/23 23/0649/FUL 91 Wolviston Road, Billingham, Stockton-On-Tees Application of change of use from a dwelling house (C3) to a childrens home (C2) to include the erection of a two storey side extension, single storey extension to rear and addition of car parking spaces.

Consideration was given to application 23/0649/FUL 91 Wolviston Road, Billingham.

The application site was a three bedroom two storey semi-detached dwellinghouse within the defined development limits of Billingham, approximately 200m north west of Billingham Town Centre.

The application was seeking planning permission for the change of use of No.91 Wolviston Road, Billingham from a three-bedroom (Use Class C3) dwellinghouse to a children's home (Use Class C2) for 3 children. The site benefited from off street parking and a rear amenity space.

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

The application also proposed the construction of a two-storey side and single storey rear extension to provide two staff rooms for the staff at the premises, one at ground floor and one at first floor, both with en-suites thus functioning as sleeping quarters at night for the two members of staff and avoiding disturbing children by using the communal bathroom. The rear extension provided for a larger open plan kitchen, dining and family room. The proposals also included the removal of the existing rear garage and replaced with two parking spaces for staff.

The application was recommended for approval with conditions.

The consultees that had been notified and the comments that had been received were detailed within the 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 recommended for approval with conditions for the reasons as specified within the main report.

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

. There was a sewage system at the back of the house and the proposed extension would be built on top of this. Northumbrian Water strongly opposes any building near or on top of a sewage system and therefore a response from Northumbrian Water in terms of rerouting the sewage system should be sought prior to the proposed scheme being considered at Planning Committee.

. The existing garage was not used for carparking due to the fact the entrance to the drive of the property was too close to a dangerous road / junction which was also on a blind bend making access and egress difficult. It was therefore felt the newly proposed parking spaces replacing the garage would also not be used and visitors to the property would be more likely to park on the road inhibiting parking for local residents.

. Safety concerns for the children were expressed due to the close proximity of the home to busy roads including a dual carriageway, the local pub, an Airbnb, where

there would be no way of knowing who would be staying there. A petrol station and local shops on the other side of the busy road from the home which would be dangerous for the children to cross should they chose to go there. The road was also a regular emergency services route, therefore it was felt that there were far too many hazards impacting on the protection of the children that would reside there.

- . Concerns were raised relating to the negative impact on neighbouring properties, such as noise.

- . There had been reports of grooming within yards of the proposed home, which would put the children in danger.

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

- . Officers explained that in terms of road safety the busy junction close to the proposed home had a traffic calming feature which made the junction as safe as it could be. In terms of access to the drive of the home, it had been the same for 7 years and there had been no reported incidents. The proposed off-street parking would mitigate against on street parking. The home would be no different to a residential house with adequate parking and access, therefore there were no highways concerns.

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

- . Councillor Barry Woodhouse expressed his surprise at there not being any objections from technical consultees particularly as the Highways Transport and Design Manager had stated he was unable to support the application due to inadequate parking. Cllr Woodhouse acknowledged and appreciated the issues raised by an objector in terms of the sewage system on the premise. Cllr Woodhouse referred to Cleveland Police's submission particularly where they had recommended the erection of a wrought iron fence. Cllr Woodhouse also felt that parking on the main road would become an issue and the speed on the road directly outside of the home should be reduced to 20mph. It was also felt the site would be over developed. There was real concern about children running over a busy road to visit local amenities without using the appropriate crossing, and although there was no suggestion the children in the home would use the local pub, patrons of the pub may pose a nuisance to the children, as it had been reported that people had been seen leaving the pub, then urinating on the road. The close proximity to the A19 and train station meant it would be easy for the children to leave should they want to and there was hearsay of grooming within the area. Cllr Woodhouse urged the Committee to refuse the application for all of the reasons above. Cllr Woodhouse then left the meeting prior to the Committee entering into further discussion on the application.

- . There was nothing to stop any family moving into the house with 5 or 6 children, however the objections relating to the sewage system and inadequate parking were valid.

- . Concerns were raised regarding the comments received from Cleveland Police relating to the recommended security measures required to stop the children from escaping.

. Questions were raised as to why the developer didn't purchase a larger house rather than having to significantly extend the proposed property.

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

. It was explained to the Committee that the Highways Transport and Design Manager initially did not support nor object to the application due to contradictory information from the applicant in terms of the number of carparking spaces and whether or not the garage was to be retained. As explained within the main report the Highways Transport and Design Manager received clarification from the applicant that adequate carparking would be provided and therefore there was no objection to the proposed development in terms of highways.

. In terms of concerns raised relating to the sewage system, Officers highlighted that if the sewer was to be built on top of, then this would be managed by Building Control and if the sewer required rerouting this would be done alongside Northumbrian Water at the developer's expense.

A vote then took place and the application was approved.

RESOLVED that planning application 23/0649/FUL 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
SBC0003	20 April 2023
2290/05A	20 April 2023
2289/03	20 April 2023

Approved Use

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

Materials to Match

04 The external finishing materials shall match with those of the existing building

Construction hours

05 No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no construction activity including demolition on

Sundays or on Bank Holidays, unless otherwise agreed in writing 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.

Informative: Effective Management

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

Informative: In a Smoke Control Zone

As the property is within a smoke control area the occupant is to comply with the following:

- Only burn authorised fuels- a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/fuels.php?country=e>

-Certain types of coal and wood can be burnt in smoke control areas but these are only to be burnt on DEFRA approved appliances; a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/appliances.php?country=e>

- The appliance is to be installed by an approved contractor and certificates of the work to be submitted to the Local Authority.

Informative: Secured By Design

The applicant is advised to contact Cleveland Police regarding security of the property, particularly bedroom doors, windows, main entrance and rear access to the property.

The contact details can be found at <https://www.securedbydesign.com/contact-us/national-network-of-designing-out-crime-officers?view=article&id=308#cleveland-police>

P/24/23

23/1201/FUL Land To The East Of Cleasby Way, Eaglescliffe. Creation of approximately 101no cark parking spaces to include 6no disability/accessible spaces and 10no electrical vehicle charging points any associated ancillary works to include a barrier and palisade fencing and new CCTV columns and erection of cycle store and substation.

Consideration was given to a revised application 22/2394/REV Land East Of 433 To 439, Thornaby Road, Thornaby.

The application sought planning permission for the creation of approximately 101 no vehicle car- parking spaces to include the installation of 10 no electric vehicle charging stations, 6 no disability accessible spaces and associated ancillary works to include a barrier, 2-metre-high palisade fencing, CCTV columns, cycle store and substation.

This was a revised scheme from a previous permission at the site (Ref: 22/0664/FUL) which included an access road to the site from Cleasby Way which had been delivered as part of Phase 1 of the previous scheme; with the car park intended to be delivered as Phase 2 of the scheme. The main alterations from the previously approved scheme included changes to the layout of the car park and associated infrastructure in order to make the most efficient use of the available land whilst avoiding impacts on existing site features such as vegetation.

The creation of a large car park within the eastern portion of Durham Lane Industrial Park remained to serve Eaglescliffe Railway Station users and would be accessed by an enhanced pedestrian footbridge over the rail line which had been considered and approved separately under Prior Approval (Ref: 22/0904/DLO). In addition to this, the car park included footpaths which would allow the public access from Eaglescliffe Railway Station to the Durham Lane Industrial Park.

The application came before Members as it fell outside of the definition of 'minor development' due to the overall floor area proposed within the extension exceeding 500 sqm. To date, no comments to the proposed development had been received.

In summary, it was considered that the nature and scale of the development was acceptable and would not have a significant detrimental impact on the character of the Durham Lane Industrial Park. It was considered that the development would not have any significant undue impact on the amenity of neighbouring sites and would not lead to any significant levels of traffic and disturbance during its construction or its subsequent use.

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 concludes that overall, it was considered that the nature and scale of the development was acceptable in principle and would not adversely affect the character of the surrounding area, amenity or neighbouring occupiers or highway safety.

The proposed development would be in accordance with the wider aims of Stockton-on-Tees Borough Council's Local Plan to introduce a car parking facility on this designated land. The proposal was therefore considered to be in line with general planning policies set out on the Development Plan and The National Planning Policy Framework.

The application was therefore recommended for approval subject to the conditions outlined within the main report.

A brief discussion took place as to whether there would be any ball strike from a nearby cricket pitch. It was explained that there would be some mounding on the site which should create sufficient space to prevent ball strike.

A vote took place and the application was approved.

RESOLVED that planning application 23/1201/FUL be approved subject to the following conditions and informative:

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
285737-ARP-CP-XX-SK-ZX-0001	28 June 2023
285737-ARP-CP-XX-DR-CD-0500	28 June 2023
285737-ARP-CP-XX-DR-CH-0100	28 June 2023
285737-ARP-CP-XX-DR-YP-0001	28 June 2023
C993892	28 June 2023

03 Construction Management Plan

Within each phase, no development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:

- (i) the site construction access(es)
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials including any restrictions on delivery times;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- (vi) measures to be taken, including but not limited to wheel washing facilities and the use of mechanical road sweepers operating at regular intervals or as and when necessary, to avoid the deposit of mud, grit and dirt on the public highway by vehicles travelling to and from the site;
- (vii) measures to control and monitor the emission of dust and dirt during construction;
- (viii) a Site Waste Management Plan;

(ix) details of the HGVs routing including any measures necessary to minimise the impact on other road users;

(x) measures to protect existing footpaths and verges; and

(xi) a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

04 Soft Landscaping

No development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority.

This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for tree pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans.

All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

(i) Commencement of the development;

(ii) or agreed phases;

(iii) or prior to the occupation of any part of the development;
and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

05 Soft Landscaping – Management and Maintenance

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, (other than small privately owned domestic gardens), maintenance access routes to demonstrate operations can be undertaken from publicly accessible land, special measures relating to the time of year such as protected species and their habitat, management of trees within close proximity of private properties etc. This information shall be submitted to and approved in writing by the Local Planning Authority.

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

Landscape maintenance shall be detailed for the initial 5-year establishment from date of completion of the total scheme regardless of any phased development period

followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

06 Soil Mound Retention

The proposed soil mounds at the site shall be in accordance with plan 285737-ARP-CP- XX-DR-CH-0100 submitted on 28 June 2023 and shall be retained for the lifetime of the development.

07 Surface Water Management Plan

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

with the approved details, the scheme shall include but not be restricted to providing the following details;

(i) Detailed design of the surface water management system;

(ii) A build programme and timetable for the provision of the critical surface water drainage infrastructure.

(iii) A management plan detailing how surface water runoff from the site will be managed during the construction phase;

(iv) A detailed maintenance and management plan.

08 Remediation Strategy and Verification Report

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

- A Remediation Strategy: Based on the results of the site investigation and risk assessment as detailed within the submitted Geo-Environmental Interpretative Report submitted on 3 August 2023, an earthwork strategy and revised risk assessment and mitigations are required to set out the remediation strategy of the site. To certify that these measures have been put in place, a validation report must be submitted and approved by the Local Planning Authority on completion of the Remediation Strategy.

- A Verification Report: Details of the data shall be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Further site investigation is required to the southeast portion of the site including details of the placement of top and subsoil to landscaped areas.

This must be undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" Guidance (2020). Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

09 Light Intrusion

Details of all external lighting of the buildings and car-parking areas shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected.

Before the use commences, such lighting shall be shielded and aligned to avoid the spread of light in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and thereafter such lighting shall be maintained to the same specification and adjusted, when necessary, to the satisfaction of the Local Planning Authority.

10 Breeding Birds

No vegetation or trees shall be removed within the bird breeding season (1st March – 31st August) unless a survey for breeding birds, completed by a competent ecologist, has first been carried out and those findings are submitted to and approved by the Local Planning Authority.

11 Bat Survey and Inspections

Prior to the commencement of the development, a bat survey, including a tree climbing inspection, shall be completed by a competent ecologist on all affected trees as defined within the Preliminary Ecological Appraisal submitted by Argus Ecology on 28 June 2023. The findings of both the bat activity survey and tree climbing inspected shall be submitted to and approved in writing by the Local Planning Authority.

Should any bat roosts be found then a full mitigation strategy for the proposed works shall be submitted to the Local Planning Authority for approval and the development shall be carried out in full accordance with any agreed mitigation strategy thereafter.

12 Boundary Treatment

Prior to the commencement of the development, full details of all associated boundary treatments and means of enclosure shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be constructed in full accordance with those agreed details thereafter.

13 CCTV Cameras

Prior to the installation of any Closed-Circuit Television cameras Exact details of the location, height and means of affixation shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the works shall be implemented and maintained in accordance with the agreed details.

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: Northern Gas Networks

There may be apparatus in the area that may be at risk during construction works and NGN require the promoter of these works to contact NGN directly to discuss their requirements in detail. Should diversionary works be required these will be fully chargeable.

Informative: Land Drainage Consent

There is a legal requirement to obtain consent from the Lead Local Flood Authority (LLFA) if the applicant intends to carry out any works in, over, under, or within 10 metres of the watercourse,

whether permanent or temporary. No works on a watercourse can proceed until written consent has been granted by the LLFA. A land drainage consent is a standalone application that could take up to 8 weeks for determination.

P/25/23

22/2394/REV Land East Of 433 To 439, Thornaby Road, Thornaby Revised application for the erection of 1no detached dwelling and 1no detached bungalow to include associated external works including alterations to public right of way.

Consideration was given to a revised application 22/2394/REV Land East Of 433 To 439, Thornaby Road, Thornaby. Revised application for the erection of 1no detached dwelling and 1no detached bungalow to include associated external works including alterations to public right of way.

The application site was a large rectangular plot to the rear of 433-439 Thornaby Road which was currently vacant and largely has the appearance of wasteland. The site was surrounded by residential properties to the west and south, a commercial development lay to the north and a car garage was located immediately to the east. A public right of way ran through the site.

The application site has been subject to a number of previous planning applications for residential development, most recently planning permission was sought for two detached dwellings and associated external works (ref; 21/2749/FUL), which were refused for two reasons. The first related to the impact on the amenity of future occupiers of plot one due to an unsatisfactory and inappropriate relationship with the existing commercial/industrial use (garage). The second reason related to Nutrient Neutrality and the absence of any supporting information to demonstrate there was no increase in nitrates as a result of the development.

The proposals sought planning permission for the erection of two detached bungalow dwellings and the proposal included the re-routing of the public right of way and the widening of access from Thornaby Road.

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 site lay within the wider conurbation and the defined limits to development. Additionally, the application site lay near local services with a regular bus service within the vicinity. It was therefore considered to be a sustainable location for residential development.

It was noted that previous proposals for dwellings in similar locations albeit two storey dwellinghouses has been refused and dismissed on appeal. The current proposals differed in that they were single storey and the purpose of the proposed design was to create an 'acoustic shadow'.

The layout of the development proposals also ensured satisfactory levels of amenity for neighbouring occupiers, adequate access and parking arrangements and there were no technical reasons to refuse the planning application, therefore the officers recommendation was to approve the application for the reasons as detailed within the main report.

RESOLVED that planning application 22/2394/REV be approved subject to the following conditions and informatives below;

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 plans;

Plan Reference Number	Date Received
1987-21-201 REV C	23 August 2023
1987-21-202 REV D	23 August 2023
1987-21-200 REV E	24 August 2023

Site and floor levels;

03 Notwithstanding the information submitted as part of the application details of the existing and proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Materials

04 Construction of the external walls and roof shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Archaeological Recording

05 Recording of a heritage asset through a programme of archaeological works

(A) No construction work (including demolition of the existing building) or ground disturbance works shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording of the existing building

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 new development shall take place other than 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.

Hours of Construction

06 No construction activity shall take place on the site outside the hours of 8.00am - 6.00pm Monday to Friday, 8.00am - 1pm Saturday and nor at any time on Sundays or Bank Holidays.

Planting Scheme

07 Notwithstanding the submitted information, a detailed scheme for landscaping and tree or shrub planting (including hedge planting for boundary treatments) to help screen the development shall be submitted to and approved in writing by the Local Planning Authority prior to the completion of the development. Such a scheme shall specify types, species, layout and contouring. The works shall be undertaken prior to occupation and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species unless the Local Planning Authority gives written consent to any variation.

Parking Spaces

08 The parking spaces as shown on drawing ref drawing 1987-21-200 REV E, shall be maintained and retained as such for the lifetime of the development.

09 Hard Landscaping

No hard landscaping works (excluding base course for access roads) shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority.

This shall include:

- All external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to

the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

- Details of any street furniture and lighting. Such furniture shall be erected before the development hereby approved is occupied.

Contaminated Land Risk Assessment

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

a. A site investigation scheme, based on the Desk Top Study (Report Ref: DPD16001.1, 23D July 2016)

b. to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c. The results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

This must be undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" Guidance (2020). Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Tree Protection

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

BRITISH STANDARD 5837:2012 Trees in relation to design, demolition and construction - Recommendations

BRITISH STANDARD 3998:2010 Tree Work - Recommendations

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.

12 Ecology and Mitigation

The development hereby approved shall only be undertaken on site in accordance with the recommendations and mitigation as detailed in the submitted Ecological Impact Assessment by Dendra Consulting Limited (dated 11/08/2022).

Nitrate Mitigation

13 No development shall commence until the applicant has satisfactorily demonstrated to the Local Planning Authority that they have completed the purchase of the allocated Nutrient Credits via Natural England's Strategic Mitigation scheme for the Tees Catchment.

Permitted Development Rights – extensions and alterations

14 Notwithstanding the provisions of classes A, AA, B, C, D, E & F of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage otherwise agreed in writing with the local planning authority.

15 Removal of PD rights - No Boundary Treatments

Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) there shall be no walls, fences, railings or other form of boundary enclosures erected at the properties unless otherwise agreed in writing by the Local Planning Authority.

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: Northern Gas Networks

The applicant should contact Northern Gas Networks 0800 040 7766 to ensure no nearby apparatus is at risk during construction works.

Informative: unobstructed access to the public footpath

The applicant must also ensure that the public footpath (FP24) route will remain open and unobstructed to allow members of the public to use it at all times during the full period of works.

If the planned works, will restrict and affect the usage the footpath, the 'Rights of Way Officer' should be contacted prior to any works to arrange the appropriate temporary diversions or closures Orders.

P/26/23

Appeals

The Appeals were noted.