

PLANNING COMMITTEE

A meeting of Planning Committee was held on Wednesday 10 January 2024.

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

Officers: Elaine Atkinson (DoF,D&R), Helen Boston (DoF,D and R), Simon Grundy, Stephanie Landles (DoA,H and W), Martin Parker (DoCS,E&C), Julie Butcher and Peter Bell (DoCS).

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

Apologies: .

P/43/23 Evacuation Procedure

The Evacuation Procedure was noted.

P/44/23 Declarations of Interest

There were no declarations of interest.

P/45/23 Planning Protocol

The Planning Protocol was noted.

P/46/23 23/1709/ADV Land Off St Martins Way, Kirklevington, Retrospective advertisement consent for 3no non illuminated flag/flagpoles, 1no non illuminated fascia signs, 4no non illuminated leader board signs, 11no non illuminated wall signs, 1no internally illuminated monolith sign and 1no non illuminated double sided hoarding sign.

Consideration was given to planning application 23/1709/ADV Land Off St Martins Way, Kirklevington.

The application was originally considered at the Planning Committee meeting which was held on 6 December 2023. Members agreed to defer that application with a request for Taylor Wimpey to remove the flag and pole nearest to 1 Moor Close, Kirklevington.

Taylor Wimpey had agreed to this request and the flag and pole was removed on the 13 December 2023.

No further consultations had been undertaken given this was a reduction in the scheme and the comments included in the report were for the original scheme.

Clarification was given to Members around the times that the sign would be illuminated.

A vote took place, and the application was approved.

RESOLVED that advertisement consent 23/1709/ADV be Approved with Conditions subject to the following conditions and informatives;

01 Approved Plans

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

Plan Reference Number	Date Received
23016:SA REV H	12 December 2023
SBC0001	3 October 2023

02 Temporary Consent

The signage hereby approved shall be removed on or before the 11 August 2026 or on completion of the final house sale whichever is the sooner.

03 Lighting to the monolith sign

The monolith sign shall not be illuminated outside the hours of 10.00 am - 05.30pm Monday to Sunday.

04 Standard Condition

Any advertisement displayed, and any site used for the display of advertisements shall be;

a) Maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

c) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including and coastal waters) or aerodrome (civil or military).

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/47/23 23/1490/FUL S H E House Macklin Avenue, Cowpen Lane Industrial Estate, Billingham Partial demolition and sub-division of existing building into 45no self-storage units (Use Class B8) and 4no employment units (Use Class B2/B8), erection of 4no employment buildings (Use Class B2/B8) and 36no starter units (Use Class B2/B8) with associated infrastructure including access and landscaping

Consideration was given to planning application 23/1490/FUL S H E House, Macklin Avenue, Cowpen Lane Industrial Estate, Billingham.

Planning permission was sought for the partial demolition and sub-division of existing building into 45no self-storage units (Use Class B8) and 4no employment units (Use Class B2/B8), erection of 4no employment buildings (Use Class B2/B8) and 36no starter units (Use Class B2/B8) with associated infrastructure including access and landscaping at an employment site known as SHE House in Macklin Avenue, Cowpen Lane Industrial Estate, Billingham.

The site was allocated in the local plan for employment uses under Policies SD4 and EG1(i) and therefore the principle of development for this use, in this location was acceptable.

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 as detailed within the report.

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

- . Disappointed the applicant chose not to consult with their neighbours on the plans.
- . The current plans were proposing overdevelopment of the site.
- . Noise pollution had not been considered.
- . Predictions in the traffic and noise survey were simply estimates and there was a high degree of uncertainty of the exact use of the industrial units. Should approval be given for B2 and B8 use, the units could be used for any general industrial, storage and / or distribution facilities.
- . The proposed 36 starter units were packed in so tightly that the turning circles could only cater for small vehicles, therefore there would be an impact on noise disturbance from Heavy Goods Vehicles (HGVs) and forklift truck acoustic warning signs.
- . The images in the design access statement were the most concerning which showed the units being used with open doors. This created more uncertainty regarding the

noise assessment figures which would rely heavily on the sound reduction properties of the building fabric.

. The design of the proposed development seemed to be more appropriate with B1 use which would be in keeping with the office space currently to the rear of the site which was proposed to be demolished as part of the application.

. The requirement for noise monitoring equipment, which was conditioned, was appreciated, however, with the degree of uncertainty of noise that could come from the site, residents would have to rely on enforcement and mitigation measures after the fact which did not afford adequate protection for residents who would be left suffering the effects in the interim.

. We should work with the applicant to try and find a mutually agreeable solution.

. This authority had a duty to protect, and where possible enhance the health and wellbeing of residents and communities.

. The Planning Committee needed to be satisfied that the planning conditions were adequate and could be enforced.

. There had been previous experience that Stockton on Tees Borough Council had not enforced conditions that had been set in previous applications. As a result of this, it was stated that friends and family had suffered from horrendous noise pollution for a period of two years.

. A recent automated email response from the Planning Department indicated that priority was being given to determining planning applications and there could be delays in carrying out enforcement investigations. This did not fill the public with confidence or a realistic expectation that any failure to comply with planning conditions would be investigated and enforced within a reasonable timeframe.

. The condition around noise monitoring equipment was welcomed, however given the significant amount of industrial development in the surrounding areas and the risk of noise creep, residents would be grateful if the Committee would consider a target of 5 decibels below background noise levels for this application and any future development locally to adequately address the risk. This was already in use in other local authorities.

. It was not understood why the opening hours stated within the proposed conditions were extended beyond those stated in the planning application form. The Committee were asked to apply opening hours as stated on the submitted application form including bank holiday opening for the self-storage units.

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

. The site was allocated for employment / development and consistent with the uses that were currently on-site.

. The development presented a good opportunity to provide some smaller units that were independent businesses.

. The closest property was over 100 metres away and there was a significant amount of vegetation separating those properties and the application site.

. Regarding background noise levels the guidance for warehouse units was between 63 and 80 decibels and the applicant had assumed 80 decibels which also took into consideration peak HGV movements and external loading all taking place in units to the north which were closest to the residential properties. Considering all those worst-case scenarios, noise levels would still be considered acceptable.

. In terms of traffic impact, National Highways and Council Officers did not have any objections.

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

. There was no control over who the applicant consulted with prior to the application although Community Consultation was encouraged.

. In terms of overdevelopment, this had already been considered and the application did fit and did work.

. Noise assessments had been undertaken at a worst-case scenario and there were no objections from Environmental Health.

. Plan images were only indicative showing what the units could look like.

. The site was allocated for B2 and B8 use which accorded with the Local Plan.

. There was a condition included within the application regarding noise monitoring. If the required levels were not achieved a sound meter would be installed to allow for monitoring and secure additional mitigation.

. Conditions would be imposed and enforced.

. A cumulative noise assessment had been undertaken based on worst case scenario with all units occupied and operating and plant on the roof, which would be unlikely.

. Regarding previous noise concerns from a different site, those issues had been identified and could not have been predicted as impact was due to the materials that had been used and the subsequent vibration.

. In terms of opening hours, the applicant had proposed a time of 7:00 to 21:00 , which had been conditioned for the B2 units.

. The whole development had been assessed for HGV manoeuvres. HGVs would be able to access the site. In terms of units 19 to 37, HGVs would need to reverse into the site which was something that happened on other industrial estates; therefore, Highways Officers were content that the proposed site was fit for purpose.

. In terms of traffic movements because the site had an existing use, officers could only take account the additional traffic associated with the increase in gross floor area associated with the B2 and B8 which equated to 30 additional trips which was negligible.

. Environmental Health Officers had worked very hard with the developer. Noise mapping and predictions had been taken at the worst-case scenarios. Distances and uses had also been looked at very closely.

. If the applicant did not achieve what they had said they would there was a condition requesting very specific information.

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

. What would happen if there were noise complaints?

. How would the sound meter be monitored?

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

. The applicant would need to comply with the conditions and the information they had put in the modelling. If residents had an issue, Officers would be able to take direct noise monitoring from the boundary and then they would be able to look at who and what was causing the problem which would enable the appropriate action to be taken.

. The sound meter would be installed at the request of the Local Planning Authority. It would not be a permanent monitoring situation.

A vote took place, and the application was approved.

RESOLVED that planning application 23/1490/FUL 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 plan(s);

Plan Reference Number	Date Received
1426_100	7 August 2023
JCM056 001	7 August 2023
JCM056 005	7 August 2023
JCM056 006	7 August 2023
JCM056JM010	7 August 2023
JCM056JM011	7 August 2023
JCM056JM012	7 August 2023
JCM056JM013	7 August 2023
JCM056JM014	7 August 2023
JCM056JM015	7 August 2023
JCM056JM016	7 August 2023
JCM056 JM017A	8 August 2023
JCM056JM018	7 August 2023

03 Materials

Prior to the completion of the foundations of the hereby approved development, details of the materials to be used in the construction of the external walls and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

04 Energy Efficiency

Prior to the erection of any buildings, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall identify the predicted energy consumption, the associated CO2 emissions and how the energy hierarchy has been applied to the development, including an investigation into the feasibility and viability of connection to decentralised energy networks for heat and power and the achievement of a "Very Good" BREEAM (or equivalent) rating for the scheme. The statement shall set out the feasibility and viability of achieving a minimum 10% reduction in CO2 emissions from the development, over and above current Building Regulations Part L requirements, or a minimum of 10% of the total predicted energy requirements of the development will be generated from renewable energy sources. Development shall be carried out thereafter in a manner that incorporates any feasible and viable measures identified.

05 Air Quality

Work shall be undertaken in accordance with the mitigation measures as detailed in the submitted Revised Air Quality Screening Assessment (NJD22-0239-001R/R3).

06 Noise

Work shall be undertaken and operated in accordance with the contents and mitigation measures of the noise impact assessments and addendums accompanying the application and the site shall not exceed the predicted noise levels.

Should noise levels exceed the levels specified in the submitted Noise Impact Assessment, a sound level meter should be installed at the site boundary (at the location indicated that will

achieve 43dB-45dB) in accordance with a timeframe to be agreed in writing with the local planning authority and the sound data should be made available to the local planning authority.

Should noise levels exceed the predicted noise levels, details of any additional mitigation and a programme for implementation shall be submitted and approved in writing by the local planning authority. Any remediation measures shall be fully installed within a time period to be agreed with the local planning authority and the noise measurements must be repeated and submitted to the local planning authority for approval in writing following the completion of the mitigation works. The mitigations shall remain in place for the lifetime of the development.

07 Ecology

Work Shall be undertaken in accordance with Section 6 (recommendations) of the submitted Ecological Appraisal (March 2023) by OS Ecology

08 Habitat and wildlife

As detailed in BS 3998:2010 Prior to work commencing, trees and its surroundings should be assessed for the presence of protected species, some of which are subject to season-specific legislation. Any works should be planned so as to limit their potential adverse impact on wildlife generally. The timing of works should take account of the seasonal cycles of the species of fauna and flora concerned (including the nesting habits of birds and the egg-laying habits of insects).

09 Biodiversity Net Gain

Notwithstanding the submitted plans, prior to the commencement of the new development hereby permitted (excluding demolition works) a Biodiversity Gain Plan shall be submitted for approval in writing by the Local Planning Authority. The Biodiversity Gain Plan must contain, information about the steps that will be taken to minimise any adverse effect of the development on the biodiversity of the onsite habitat, and the site's pre- and post-development biodiversity value, and how these gains will be incorporated within the landscaping details submitted as part of any reserved matters application. The works shall be implemented in accordance with the agreed details and any phasing programme. Such measures shall be retained thereafter for the lifetime of the development.

10 Ecology Survey

If work does not commence within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing on site a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted and approved in writing by the local planning authority and identify any additional or revised mitigation measures required.

11 Construction Environmental Management Plan

No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning

Authority. The CEMP shall set out, as a minimum, site-specific measures to control and monitor impact arising in relation to noise and vibration, dust and air pollutants, land contamination, ecology. It shall also set out arrangements by which the developer shall maintain communication with businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

12 Construction Traffic Management Plan

Within each phase, no development shall take place, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the local planning authority. The CTMP shall set out, as a minimum, site-specific measures to control and monitor impact arising in relation to:

- the site construction access(es)
- the parking of vehicles of site operatives and visitors.
- loading and unloading of plant and materials including any restrictions on delivery times.

- storage of plant and materials used in constructing the development.

- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- 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.
- measures to control and monitor the emission of dust and dirt during construction.
- a Site Waste Management Plan.
- details of the HGVs routing including any measures necessary to minimise the impact on other road users.
- measures to protect existing footpaths and verges; and
- a means of communication with local residents.

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

13 Tree Protection

Notwithstanding the proposals detailed in the Design and Access Statement/ 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:

- BS5837:2012 Trees in relation to design, demolition and construction – Recommendations
- BS3998:2010 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.

14 Soft Landscape Management and Maintenance

Landscaping shall be undertaken in accordance with the Landscape Strategy (plan ref: 1426_100) and the development shall not be occupied 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.

15 Discharge of Surface Water

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

I. Detailed design of the surface water management system

II. A build programme and timetable for the provision of the critical surface water drainage infrastructure.

III. A management plan detailing how surface water runoff from the site will be managed during the construction phase.

IV. Details of adoption responsibilities

16 Discharge of Surface Water

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy Report dated 27th March 2023. The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the local planning authority.

17 Discharge of Surface Water

The building hereby approved shall not be brought into use until: -

I. Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said building.

II. The drawings of all Suds features have been submitted and approved in writing by the Local Planning Authority, the drawings should highlight all site levels, including the 30year and 100year+cc flood levels and confirmation of storage capacity.

III. A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development.

18 Light Intrusion

Details of the external appearance of all new external lighting of the buildings, roads and car park areas, including colour and luminance shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. Any temporary or permanent lighting shall be arranged to ensure that lighting does not adversely affect the nearby residential properties. The lighting shall be installed in accordance with the agreed details and be in place prior to occupation.

19 Waste Collection

Each unit shall be provided with container for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.

20 Hours of operation

The hereby approved B2 units shall not operate outside the hours of 07:00-21:00Hrs Monday – Saturday and 08:00-14:00Hrs on Sunday and Bank Holidays.

21 Construction/ Demolition Noise

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

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

Informative: Environmental Health

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.

Grease trap: Any 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).

Open burning: No waste products derived as a result of carrying out any business hereby approved shall be burned on the site. An Environmental permit from the Environment Agency for the keeping, handling and disposal of waste may be necessary.

P/48/23 22/2559/REM 239 Oxbridge Lane, Stockton-on-Tees Reserved matters application for the appearance, landscaping, layout and scale for the erection of 2no dwelling house with detached garages.

Consideration was given to planning application 22/2559/REM, 239 Oxbridge Lane, Stockton on Tees.

The Reserved Matters application sought planning permission for the appearance, landscaping, layout and scale for the erection of 2no dwellinghouses with detached garages.

An outline application at site (Ref: 19/1873/OUT) had been approved on 15th January 2020. The outline application sought permission for all matters reserved for the erection of 2no dormer bungalows with associated garages and private access road.

As outline planning permission had been granted for 2no residential dwellings on the site, the principle of development had been accepted and therefore the main considerations in determining the application were in relation to the detail of the reserved matters.

The site layout and the scale of the dwellings were comparable to that which was stipulated within the outline permission. Although the dwelling's footprints had increased from the outline permission's indicative site plan, their footprint was considered to be comparable to the surrounding pairs of semi-detached dwellings located on Merville Avenue and Grosvenor Road and their heights in line with controlling planning conditions within 19/1873/OUT. In addition to this, given the generous proportions of the site and revisions made to the scheme through the planning process, the site was considered to be able to comfortably accommodate the proposed pairs of dwellings and associated amenity spaces, access routes, hard landscaping and detached garages.

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 benefited from outline permission for a dwellinghouse. Overall, it was considered that the proposed development was acceptable in terms of appearance, landscaping, layout and scale and it was considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours.

It was considered that the reserved matters were in general accordance with the National Planning Policy Framework and the Development Plan policies and therefore the recommendation was to approve the reserved matters application subject to the conditions set out in the report.

The Applicant was in attendance at the meeting in order to respond to any Member questions if needed.

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

- . Officers' recommendations in the outline planning application were contradictory to the report in front of Members today. Details were given of the sizes of the dwellings. The development was too much because of its overall scale and the overbearing massing.

- . Concerns were raised relating to the loss of trees and the increase in the dwelling sizes which was a lot from the original proposals.

- . Neighbouring properties would be overlooked.

- . A suggestion was made that a condition be included that parking spaces should be retained for the length of the development even though they were part of the host property.

- . Concerns were raised over the construction plan as there wasn't a condition around cleaning mud off construction vehicles.

- . The blocked driveway would need to be re-constructed.

- . Two trees had Tree Protection Orders' however the report stated that Highways Officers said that the two trees could be retained.

- . The Fire Officer had concerns about access.

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

- . The original outline was for the indicative plans and were illustrative. Although the dwellings were larger than the indicative plans, Officers were still satisfied that the development would not have an impact on amenity and character. The development was more reflective of what was further down Oxbridge Lane as there were no other similar back land developments in that area.

. A condition could be added around the retention of car parking as well as the washing of construction vehicles if Members so wished.

Regarding the trees, the applicant had proposed re-planting plan, and this was considered acceptable.

. The Fire Officer had been consulted on the revised plans and the plans did meet the specifications the fire service required.

A vote took place, and the application was approved.

RESOLVED that planning application 22/2559/REM be approved subject to the following conditions and informative:

01 Approved Plans

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

Plan Reference Number	Date Received
22.033-SA-ZZ-SP-DR-A-90-00 REV P2	16 February 2023
22.033-CAL-PLOT1-ZZ-DR-A-20-00_P2	09 May 2023
22.033-CAL-ZZ-SP-DR-A-90-01_P1	11 September 2023
22.033 CAL-ZZ-SP-DR-A-90-02 P1	06 October 2023
N1298-ONE-ZZ-XX-DR-L-0201	02 November 2023
22.033-CAL-XX-XX-DR-A-20-00	16 November 2023
22.033-CAL-XX-XX-DR-A-20-01	16 November 2023
22.033-CAL-PLOT2-ZZ-DR-A-20-00_P3	28 November 2023

02 Reserved Matters

Nothing in this permission other than that relating to scale and appearance of the hereby approved detached dwelling and the detached garage, as detailed above shall be construed as discharging or varying the conditions attached to the previous permissions (19/1873/OUT), which remain in force and apply to this consent.

03 Permitted Development Rights – Extensions and Alterations

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.

04 Hours of Construction

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.

05 Parking Spaces

The parking spaces as shown on drawing ref drawing 22.033-CAL-ZZ-SP-DR-A-90-01_P1, shall be maintained and retained as such for the lifetime of the development.

06 Materials

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.

07 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, load bearing weights 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.

08 Planting Scheme

The proposed soft landscaping shall be in full accordance with the approved document N1298-ONE-ZZ-XX-DR-L-0201 submitted on 2 November 2023. 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.

09 Removal of T1 Ash Tree and T3 Poplar Tree

Prior to the commencement of the approved development and in full accordance with the Tree Survey and Arboricultural Impact Assessment conducted by We Care Tree Care Arboricultural Services submitted on 16 December 2022, the trees covered by a Tree Preservation Order and labelled T1 Ash Tree and T3 Poplar Tree shall be removed in their entirety. All works must be undertaken to a high professional standard in accord with arboricultural best practice and in line with BS3998: 2010 Tree Work Recommendations.

10 Tree Protection Plan

The scheme for the protection of the remaining trees on site shall be carried out in accordance with the details within the Tree Survey and Arboricultural Impact Assessment conducted by We Care Tree Care Arboricultural Services submitted on 16 December 2022.

11 Servicing, refuse and recycling;

Notwithstanding the details submitted as part of the application and prior to the occupation of the development, details of the servicing arrangements, refuse and recycling facilities and on-going management shall be submitted to and approved in

writing by the Local Planning Authority and be implemented in accordance with these agreed details.

12 Nitrate Mitigation

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.

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: Designing out Crime

The developer is encouraged to adopt the police security standard 'Secured by Design' and to make contact with Crime Prevention & Architectural Liaison at their earliest opportunity for any crime prevention/designing out crime input/advice. Further information on the police designing out crime initiative and my contact details are available at www.securedbydesign.com, or you can call the police non-emergency number (within the Cleveland Police Force Area) on 101 and ask for Gerard McBride.

Informative: Not in a Smoke Control Zone

Although the property is not within a smoke control area, we would informally request that the occupant complies with the following information in order to minimise the likelihood of complaints regarding smoke emissions:

- Burn authorised fuels- a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/fuels.php?country=e>
- Install a DEFRA approved appliance; 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: Cleveland Fire Brigade

The developer is encouraged to adopt the standards of the Fire Brigade's ADB Volume 1 13.1 into the development. Details can be found at the following link: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1124733/Approved_Document_B_fire_safety_volume_1_-_Dwellings_2019_edition_incorporating_2020_and_2022_amendments.pdf