

## PLANNING COMMITTEE

A meeting of Planning Committee was held on Wednesday 4 December 2024.

**Present:** Cllr Mick Stoker (Chair), Cllr Michelle Bendelow (Vice-Chair), Cllr Carol Clark, Cllr John Coulson, 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, Helen Boston, Simon Grundy (DoR&IG), Stephanie Landles (DoA,H and W), Martin Parker (DoCS,E&C), Julie Butcher and Sarah Whaley (DoCS).

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

**Apologies:** Cllr Shakeel Hussain.

### **P/40/24 Evacuation Procedure**

The evacuation procedure was noted.

### **P/41/24 Declarations of Interest**

In the interests of openness and transparency Councillor Sylvia Walmsley advised the Committee that she may be considered to be pre-determined or biased in relation to item 24/1351/FUL Land to The West of Thornaby Pavilion, Thornaby, TS17 9EW. Cllr Walmsley was a member of the Thornaby Town Deal Board who had driven the proposed development through. Cllr Walmsley took part in the debate however did not vote on the application.

### **P/42/24 Minutes of the meeting which was held on 6 November 2024**

Consideration was given to the draft Planning Committee minutes of the meeting held on 6 November 2024 for approval and signature.

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

### **P/43/24 Planning Protocol**

The planning protocol was noted.

### **P/44/24 24/0430/REM Land West Of Maynard Grove, Wynyard Village, Wynyard Application for reserved matters approval (appearance, landscaping, layout and scale) for a new local centre with associated hard and soft landscaping pursuant to planning consent LPA Ref. 20/2408/OUT**

Consideration was given to planning application 24/0430/REM Land West Of Maynard Grove, Wynyard Village, Wynyard.

This planning application was considered at planning committee on the 6th November 2024 where the planning committee deferred the determination of the application to give the applicant the opportunity to seek to address the concerns raised by members and the objectors. These concerns were noted as;

- Consider further consultation with the community;
- Reconsider in terms of the layout, design and servicing arrangements.

Since the last committee the applicant had submitted revised plans to show a service bay on the verge outside of the local centre, provided updated servicing plan and revised plans to show an uplift of the floorspace of the community hall. The revised details were subject to public consultation. Whilst no direct public consultation was undertaken by the applicant following the last meeting, a statement from the applicant giving their perspective on the background and ethos behind the local centre had been submitted. This included an explanation over the aims for the local centre, current position on potential end users and clarity over community engagement which had taken place previously.

Following the Local Planning Authority's consultation on the submitted revised details two further letters of objection had been received as well as two letters of support. No objection had been received from any of the technical consultees.

Whilst Officers were satisfied that the condition imposed on the parent permission (ref; 20/2408/OUT) gave sufficient control to secure an appropriate mix of end users to serve the local community. Condition 6 was also now recommended which looked to restrict the number of cafes/restaurants within the centre. The main purpose of this would be to ensure that the parking provision was sufficient for the centre as a whole and to ensure a blend of end users.

Following consideration of the revised submission, the recommendation to members was that the proposed development remained an acceptable form of development which would be complying of the parent permission, the Wynyard Masterplan and policies of the local plan when read as a whole. The recommendation was therefore one of approval subject to conditions a set out below.

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

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

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

The Planning Officers report concluded that it was considered that where practicable the developer had sorted to address concerns raised.

Given the considerations detailed within the report the proposed development was considered to be visually acceptable, and it was not considered that the proposed development would have any adverse impacts on levels of residential amenity or highway safety to justify a refusal of the application. The proposed scheme was therefore in accordance with the relevant local and national planning policies and

recommended for approval subject to those conditions outlined within the report above.

Since the original report, a further 3 letters of objection had been received which suggested that there had been a lack of consultation between the developer and local community

Officers explained that the Planning Authority could not force the applicant to carry out any consultation with the local community. The recommendation remained as detailed within the original report.

Officers also informed the Committee that since the original report there had been an uplift in the floorplan of the community centre.

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

- The proposed changes to deliveries and refuse collection were not supported by Wynyard Residents Association and it was also not supported by the Councils Highways, Transport and Environment department .
- Wynyard Residents Association had worked hard to keep residents informed of the proposed development and ascertain opinions. Cameron Hall however had made no attempt to consult with residents regarding the proposed plans despite a strong recommendation from Members of the Planning Committee.

A TPS Transport Consultant attended the meeting and was given the opportunity to make representation. Their comments could be summarised as follows:

- The Applicant had tried to take residents comments on board.
- The community centre floorplan had increased in size.
- A designated loading bay had been introduced to allow for deliveries.
- There was an amended service management plan submitted
- Refuse would be collected once a week.
- There was no legal requirement for the applicant to consult further with residents.
- All comments received from the Councils consultation had been considered.
- There was the possibility of a private medical facility which would also provide some NHS services; however, end users of the units could not be guaranteed.
- A financial contribution had been made to a local GP Practice.
- There was a unit available which was suitable for a convenience store should a suitable business come forward.

- There were conditions limiting certain uses. Should someone come forward with applications outside of those conditions then they would have to be considered by the Planning Committee.

- It was felt there would be no issues in terms of safety to the public when deliveries were being made as these would be small deliveries as and when needed and it was expected that the units would be mostly occupied by small businesses.

- The proposed development was typical of local centres of this size. The applicant had listened to residents, hence the proposed loading bay.

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

- There was a dedicated service layby now proposed and to prevent public parking, parking restrictions could be introduced, however Highways Officers did not support the new proposal and felt the original plan was more acceptable

- Refuse would be collected from the car park, off peak. once a week.

- The volume of carparking was acceptable.

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

- The supporter informed the Committee that they had been planning for over a year to occupy one of the units as an independent veterinary practice.

- A veterinary practice was a long-term orientated business and would create employment and a much-needed facility.

- There were approximately over 5000 pets in the local area and a veterinary practice would support responsible ownership, also offering pet foods and cremation services.

- Members were asked to not delay the proposed development any further.

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

- Due to the expectation that most businesses occupying the units would be small it was queried whether the size of the delivery vehicles could be conditioned for example to the size of a transit van?

- Clarity was sought as to what would happen if Members were minded to refuse the application.

- The proposal of the layby was a surprise as this was not suggested at the previous planning committee meeting when the application was deferred. Refuse collection was more of a concern in terms of public safety, however nothing had changed in this regard within the new proposal.

- The newly proposed layby was pointless and more detrimental to residents.

- The supporter representing the possible veterinary practice had indicated that there would be 10 employees, therefore it was questioned whether there would be adequate car parking if employees were taking up 10 spaces

- Members were disappointed that further consultation had not taken place between the applicant and residents following the requests made at the last Planning Committee meeting.

- One of the proposed units had an external terraced area which was not necessarily required and could be better utilised as additional car parking. This could add additional spaces should a rear service road be included helping to mitigate the squeeze on the local centre. It was also asked whether the space between the red outline and highway verge could be used for car parking and help facilitate a service road.

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

- Where Members had asked for a condition to be included to restrict the size of delivery vehicles officers confirmed that proposed condition 2 stated that should the development be approved, it should be carried out in full accordance with the Service Management Plan received by the local planning Authority 14 November 2024, however this relied on the inclusion of the layby. Should Members wish to revert to the original plan then the wording would need to be amended accordingly

- In terms of the possibility of the application being refused, the applicant could appeal, and if refused by the planning inspectorate, then there was the potential that the applicant could submit a revised scheme which could be smaller than the current proposal.

- The Highways, Transport and Design Principal Engineer explained to the Committee that the layby was not supported as service vehicles in the layby would only be able to turn around in the car park, therefore from a practical common-sense point of view this would most likely result in delivery vehicles delivering from the car park. If there was a loop road around the back of the proposal, then the layby would work, however for this to be viable the local centre would have to be squeezed in, and car parking would be lost. There would be no highways issues should the layby not go ahead.

- In terms of the possibility of a convenience store occupying one of the units, deliveries would most likely be made by a Transit or Luton van, it would not need a Heavy Goods Vehicle to make deliveries, therefore smaller service vehicles meant there was no real need for the layby.

- Should members be minded to approve the proposal but had concerns about the layby, they could revert back to the original plan, however conditions would have to be revised by the Head of the Planning Service.

- Officers considered the collection of refuse from the front of the units acceptable.

- The calculation of car parking spaces on the proposed development was not associated with car ownership in Wynyard. The proposed site was a sustainable area with footpath and cycle links. The methodology using TRICS was the observation of the actual developments in the area and the number of trips to the proposed site

which gave car parking accumulation, therefore the Highways, Transport and Design Principal Engineer could not argue the number of car parking spaces were not adequate. Due to the end users of the units not being known at this stage exact number of spaces needed could not be determined however the TRICS data was a robust starting point.

- Officers confirmed that the applicant had engaged with residents prior to the original application and went above and beyond what was required. Officers were therefore satisfied that the applicant had carried out satisfactory consultation with residents. The Council carried out statutory consultation in terms of site and press notices as well as letters.

- Members were informed that a service road could be put around the back of the local centre, however it would impact on residential amenity as it would be too close to dwellings. In terms of the layby servicing would have to be in the layby, turn around and exit through the same place it entered or via the residential cul-de-sac. The verge between the and footway and cycle way shown in red on the plans was partly open space. The houses had all been designed to be stepped back, squeezing carparking to the front would have a visual impact.

A vote took place and the application was approved.

RESOLVED that planning application 24/0430/REM 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
PL-LC-04_REVC	17 September 2024
2044-04C	17 September 2024
4982-XX-XX-DR-E-200	17 September 2024
PL-LC-03_REVD	14 November 2024
PL-LC-05_REVC	14 November 2024
PL-LC-06_REVC	14 November 2024
PL-LC-07_REVC	17 September 2024
PL-LC-08_REVD	14 November 2024
PL-LC-09_REVC	14 November 2024
PL-LC-10_REVC	17 September 2024
QD1898-03-03-D	17 September 2024
PL-LC-02	17 September 2024
PL-LC-GM-01_REVB	14 November 2024

#### Service Management Plan

03 The development hereby approved shall be carried out in full accordance with the Service Management Plan, received by the Local Planning Authority on the 14 November 2024

#### Bin/ Refuse

04 Notwithstanding the submitted details, prior to the occupation of the development hereby approved a refuse collection plan shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the hereby approved commercial/community units shall operate in complete conformity with the approved details.

#### External Materials

05 Notwithstanding the submitted details in the application, the external walls and roofs shall not be commenced until precise details of the materials to be used in their construction have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

#### Hard landscaping and street furniture

06 No above ground construction shall take place until full details of proposed hard landscaping including street furniture have 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 and in accordance with 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

#### Restaurant/ Café

07 Notwithstanding condition 06 of application ref 20/2408/OUT, the units hereby approved shall not be occupied by more than one restaurant/ café, unless it can be demonstrated to the satisfaction of the Local Planning Authority that this would not have an impact on parking provision or highway safety.

#### Loading Bay

08 The development hereby approved shall not commence until the loading bay as shown on plan ref PL-LC-03\_REVD received by the Local Planning Authority on the 14 November 2024 is provided. Thereafter the loading bay shall remain free at all times, except for the purposes of loading/unloading in association with the use of occupiers of the units of the local centre.

#### 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.

**P/45/24      23/2292/FUL Land Off Welwyn Road, Ingleby Barwick, Stockton on Tees  
Erection of 345no dwellings (Use Class C3), vehicle access from Welwyn Road,  
landscaping, SUDS, and associated infrastructure works**

Consideration was given to planning application 23/2292/FUL Land Off Welwyn Road, Ingleby Barwick, Stockton on Tees.

Planning permission was sought for the erection of 345 dwellings and associated infrastructure and landscaping on an allocated site off Welwyn Way, Ingleby Barwick.

The proposed application consists of 339 houses and 6 bungalows, 69 of which would be affordable, equating to 20% affordable provision across the two sites.

The application had 13 letters of objection and one general observation. No fundamental objections had been raised by statutory consultees.

The principle of development was considered acceptable, and the application had been considered in full and it was not considered that the development would result in any significant conflict with the policies of the Local Plan and there were no technical reasons why the proposed scheme was unacceptable in planning terms and would justify a refusal of the application.

The consultees 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 development formed part of an allocated site in the local plan. It was considered that there were material benefits arising from the proposed development and there were not any adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole.

Other material considerations had been considered in detail and the development as proposed was considered to be acceptable in terms of visual impact and highway safety, it did not adversely impact on neighbouring properties, archaeology, ecology or flooding

For the reasons stated above and detailed in the report it was recommended that the application be Approved with Conditions and subject to the completion of a Section 106 Agreement as detailed within the Heads of Terms and the acceptance of the Appropriate Assessment.

Officers highlighted that there was an error in the report at paragraph 28 of the material planning considerations which should have read 1155 houses not 1185.

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

- Concerns were raised in terms of privacy to neighbouring properties.



- The views from the garden were like looking out over meadows, should the proposed development be approved residents would lose that meadow feel and it would also be detrimental to the neighbouring farm.

- A request was made that space was given between the proposed development and the existing home. Gardens butting up to each other would take away a small piece of tranquillity.

- There would also be a detrimental effect on wildlife such as the barn owls that were present within the vicinity of the proposed development.

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

- The applicant had been working closely with officers for a long time to come up with the best possible scheme.

- This was an allocated site with a good mix of homes.

- The proposed site connected well with footpath and cycle links and was in walking distance of local amenity.

- There was a net increase in biodiversity, as well as having an excellent landscape design.

- Construction would be short term.

- The applicant had worked hard with local people and wanted to make this site a place where people wanted to live with the intention of both developers having a lasting legacy with local people.

- Quality was a main driving force.

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

- In terms of separation distances between existing and the proposed properties, they met all necessary requirements.

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

- Concerns were raised in relation to the lack of bungalows on the proposed site.

- Some Members did not necessarily agree accessible and adaptable homes was the right way to go at the expense of bungalows.

- It was requested that a public right of way and flood management plan must be in place before any home was built.

- Clarity was sought as to whether hedgerows had been removed or had been planned to be removed?

- Brief debate was had in terms of the cost associated with an affordable bungalow.
- A request was made that footpaths be well lit.
- Members asked if the site trail and outdoor gym play construction could be brought forward to alleviate the inconvenience of that construction phase for residents.
- It was requested that the landscaping strategy was closely monitored as other housing developments within the vicinity had still not had their landscaping delivered.
- More green field sites had been taken away.
- Although the report had stated there was no significant impact on the local road network, anyone travelling on Thornaby Road or Low Lane would not agree.
- Clarity was sought as to the breakdown of the of mix of homes.
- Officers were asked to clarify if there was a public right of way.

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

- The government encouraged developments that kept people in their own homes, therefore the scheme included dwellings to be accessible and adaptable. The 6 proposed bungalows were suggested by the Councils housing team as an affordable product, however there was no policy requirement that bungalows must be built, some homes did however have to be accessible and adaptable allowing residents to remain there.
- The proposed site was flood zone 1 and complied with the necessary flood conditions.
- Officers confirmed that some hedgerows would be removed, however they would be replaced as detailed as part of a landscaping scheme within the officer's main report. There would be open space provision, stop and play for recreation and woodland walks.
- The footpath on the proposed plan which linked to the adjacent site already had a streetlight.
- Accessible homes were not all about a downstairs bedroom, for example there may be no island in a kitchen area so wheelchairs could negotiate around the space. There may also be adequate space to put in a lift if required so there would be access to upstairs.
- In terms of the delivery of the site trail and outdoor gym play, Members were informed that there was a condition with a phasing plan.
- Officers confirmed that there would be a mix of 2 bed bungalows, 2 bed semidetached as well as a mix of 3 and 4 bed homes.
- It was confirmed that there was no public right of way on the site that would be affected by the development.

A vote took place and the application was approved.

RESOLVED that planning application 23/2292/FUL be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below, and with the final decision to be delegated to the Planning Services Manager once agreement from Natural England is secured for the Appropriate Assessment.

#### 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
1792-KEE-100 Rev M	21 November 2024
1792-KEE-102 Rev N	21 November 2024
1792-KEE-101 Rev N	21 November 2024
1477_100 Rev D Landscape Strategy	6 November 2024
5010 201 REV 4 – Esthwaite	19 November 2024
5220 REV 3 Padbury	15 December 2023
5250 REV 3 Seacourt	15 December 2023
5720 201 REV 2 – Winterbourne	19 November 2024
1050 REV 2 Foxcote	15 December 2023
10700 REV 4 Kentmere	15 December 2023
1110 REV 3 Chelburn	15 December 2023
1200 REV 4 Bradshaw	15 December 2023
5360 REV 4 Killington	15 December 2023
1220 REV 4 Roundhill	15 December 2023
5180 REV 2 Longford	15 December 2023
1420 REV 4 Jubilee	15 December 2023
1250 REV 4 Caversham	15 December 2023
1260 REV 4 Hoveton	15 December 2023
Hd_MA_End_R21G-901 Haldon	30 August 2024
Hd_MA_End_R21G-904 Rev A Haldon	30 August 2024
Ga_MA_Sem_R21G-901 Rev B Galloway	30 August 2024
Ga_MA_Sem_R21G-904 Rev C Galloway	30 August 2024
Kg_MA_End_R21G – 901 Rev A Kingley	30 August 2024
Kg_MA_End_R21G – 904 Rev A Kingley	30 August 2024
Sh_MA_Det_R21G – 901 Rev C Sherwood	30 August 2024
Sh_MA_Det_R21G – 904 Rev D Sherwood	30 August 2024
Ba_MA_Det_R21G – 901 rev A Barndale	30 August 2024
Ba_MA_Det_R21G – 904 rev A Barndale	30 August 2024
Cd_MA_Det_R21G – 901 Charndale	30 August 2024
Cd_MA_Det_R21G – 904 Charndale	30 August 2024
Sa_MA_End_R21G – 901 Rev D Saunton	30 August 2024
Sa_MA_End_R21G – 904 Rev C Saunton	30 August 2024
BU_MA_DET_R21G 201 D – Burnham	15 November 2024

BU_MA_DET_R21G 210 C Burnham	15 November 2024
BU_MA_DET_R21G 410 D Burnham	15 November 2024
Ke_MA_END-R21G-901 Rev B Kennet	30 August 2024
Ke_MA_END-R21G-904 Rev A Kennet	30 August 2024
Ma_MA_Det_R21G-901 Rev A Marston	30 August 2024
Ma_MA_Det_R21G-904 Rev B Marston	30 August 2024
Gw_MA_End_R21G-901 Rev D Greenwood	30 August 2024
Gw_MA_End_R21G-904 Rev B Greenwood	30 August 2024
Bt_MA_Det_R21G – 901 rev A Brampton	30 August 2024
Bt_MA_Det_R21G – 904 rev B Brampton	30 August 2024
LaN_MA_DET_R21G - 901 Lancombe	30 August 2024
LaN_MA_DET_R21G – 902 Rev A Lancombe	30 August 2024
LaN_MA_DET_R21G – 904 Rev B Lancombe	30 August 2024
HoC_MA_DET_R21G – 901 Hollicombe	30 August 2024
HoC_MA_DET_R21G- 902 Rev A Hollicombe	30 August 2024
HoC_MA_DET_R21G- 904 REV B Hollicombe	30 August 2024
SeA_MA_DET_R21G – 901 Rev B Seacombe	30 August 2024
SeA_MA_DET_R21G – 902 Rev B Seacombe	30 August 2024
SeA_MA_DET_R21G – 904 Rev B Seacombe	30 August 2024
HeY_MA_DET_R21G – 901 Rev A Heysham	30 August 2024
HeY_MA_DET_R21G – 902 Rev A Heysham	30 August 2024
HeY_MA_DET_R21G – 904 Rev B Heysham	30 August 2024
BrH_MA_Det_R21G – 901 REV A Broadhaven	30 August 2024
BrH_MA_Det_R21G – 902 rev A Broadhaven	30 August 2024
BrH_MA_Det_R21G – 904 rev B Broadhaven	30 August 2024
TsD_MA_DET_R21G – 901 Torrisdale	30 August 2024
TsD_MA_DET_R21G – 902 Rev A Torrisdale	30 August 2024
TsD_MA_DET_R21G – 904 Rev A Torrisdale	30 August 2024
DET_AS-DR-A-9050_201 Single Detached Garage	15 December 2023
DET_AS-DR-A-9070_201 Double Detached Garage	15 December 2023
DET_AS-DR-A-9080_201 Triple Detached Garage	15 December 2023
END_AS-DR-A-9060_201 Single Attached Garage	15 December 2023

### 03 Phasing Plan

Prior to the commencement of development, a phasing plan shall be submitted to and approved by the Local Planning Authority which defines the areas to be developed by each developer (hereby referred to as Phases).

### 04 Garage to Plots

Notwithstanding the submitted plans, other than as shown on plans 1792-KEE-100 Rev M and 1792-KEE-101 Rev N, planning permission is not granted for the proposed triple garage to plots 37 - 39. Any alternative arrangement for the parking of vehicles (including structures) for Plots 37-39 shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of foundations for Plots 37-39. Work shall be undertaken in accordance with the approved details.

### 05 Materials

No development shall commence above damp-proof course in a Phase of the hereby approved development, details of the materials to be used in the construction of the external walls and roofs of that Phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phase of the development shall be carried out in accordance with these approved details.

#### 06 Landscaping - Hardworks

No development shall commence above damp-proof course in a Phase until full details of proposed hard landscaping in that Phase has been submitted to and approved in writing by the Local Planning Authority. This shall include:

- All highways and footways (roads, shared surfaces, private drives, property driveways and raised tables etc);
- Informal pedestrian footpath connections within the site boundary to the existing footpath network; and
- Maintenance access tracks to all SUDs and other service features requiring vehicular access.

This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed within the Phase in accordance with the approved details. Any defects in materials or workmanship appearing within the Phase within a period of 12 months from completion of that Phase shall be made-good by the owner as soon as practicably possible.

#### 07 Means of Enclosure

Notwithstanding the proposals detailed in the submitted plans, no development shall commence above damp proof course in a Phase until details of all means of enclosure within that Phase shall be submitted to and approved in writing by the Local Planning Authority. Such approved means of enclosure shall be erected before the dwelling(s) it related to or facilitates hereby approved is occupied.

#### 08 Street Furniture/ Play Equipment and Trim Trail .

No development shall commence above damp-proof course until details of the proposed trim trail, street furniture including benches and play equipment shall be submitted to and approved in writing by the Local Planning Authority. Such equipment as agreed shall be installed in accordance with a phasing and delivery plan to be agreed in writing with the local planning authority.

#### 09 Accessible and adaptable homes

Notwithstanding the submitted plans 240 of the proposed dwellings (70%) shall meet Building Regulation M4 (2).

#### 10 Landscaping – Softworks

No development shall commence above damp proof course in a Phase until full details of Soft Landscaping in that Phase 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 in that Phase shall be completed in accordance with a phasing programme to be agreed with the local planning authority and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

### 11 Protection of Trees –Adherence to Recommendations

Works shall be undertaken in accordance with the submitted 'Arboricultural Method Statement/Impact Assessment (Ref: ARB/CP/3216 dated November 2024. This shall be adhered to in full and shall be subject to tree protection monitoring and site supervision undertaken by a suitably qualified tree specialist.

### 12 Landscape Management and Maintenance

No development shall commence above damp proof course until full details of proposed soft landscape management, and maintenance plan 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.

The Maintenance Plan shall include for management of access points, footpaths and maintenance access tracks, including repairs, cutting back vegetation, etc.

Management of the existing ponds and watercourses, including removal of invasive species, silt clearance etc shall also be included in the plan.

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

### 13 Protection of Highway

No development shall commence above damp proof course in a Phase until the Local Planning Authority has approved in writing the details of arrangements for the protection of the adopted highway, from tree root damage where trees are planted within 2 metres of the highway in that Phase

### 14 Discharge of Surface Water

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

I. Detailed design of the surface water management system; (for each phase of the development).

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

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

IV. Details of adoption responsibilities

#### 15 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

#### 16 Culvert Design

No development within the 8m buffer to the watercourses shall take place until detailed designs for the culverted crossings have been submitted to and approved by the local planning authority. Specifically, the culvert design should:

- Aim to create a channel within any culvert that is as similar as possible to the “natural” channel in both structure and function.

- Ensure that any culvert does not destabilise the reach they sit within, avoiding scour and aggradation.

- Allow a natural bed throughout, taking into account upstream and downstream planform and channel grade.

- Ensure the continuation of sediment transport through any structure or realigned channel.

- Consider future changes to hydrology and how this may impact on sediment supply, channel dynamics and geomorphological processes (up and downstream of any structure or re-aligned channel).

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

A) Prior to the occupation of the development an Updated Project design, based off the recommendations of the post-excavation assessment (ASDU report 6168, received by the local planning authority on 18 October 2024), has been submitted to and approved by the local planning authority in writing.

B) No more than 50 dwellings shall be occupied until the post investigation analysis has been completed in accordance with the Updated Project Design approved under condition (A), and the provision made for publication and dissemination of results and archive deposition has been secured. This condition is derived from a model

recommended to the Planning Inspectorate by the Association of Local Government Archaeology Officers

#### 18 Noise Impact Assessment

The development hereby approved shall be undertaken in accordance with the recommendations as detailed in Section 9 (mitigation measures) and Section 10 (Acoustic Design Statement) of the submitted Noise Assessment (Ref NJD23-0189-002R dated November 2024), unless otherwise agreed in writing with the local planning authority.

#### 19 Ecology and Mitigation

The development hereby approved shall only be undertaken on site in accordance with the Section 6 Recommendations (avoidance, mitigation and compensation) measures as detailed in the following reports;

- Ecological Impact Assessment (August 2024)
  
- Otter and Water Vole Survey (June 2024 )
  
- Breeding Bird Survey (August 2024)
  
- Badger Report (May 2024)

#### 20 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

#### 21 Habitat and wildlife

As detailed in BS 3998:2010 Prior to work commencing in a Phase, the trees and their surroundings should be assessed for the presence of protected species, some of which are subject to season-specific legislation. Any works in a Phase should be planned so as to limit their potential adverse impact on wildlife generally. The timing of works in a Phase 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).

#### 22 Construction and Environmental Management Plan (CEMP)

Prior to the commencement of the development in a Phase hereby approved, a detailed site-specific Construction Environmental Management Plan (CEMP) for that phase of the development shall be submitted to and be agreed in writing with the Local Planning Authority. This shall include details of all proposed excavations, piling, construction, machinery used (including location) and associated mitigations should be submitted in accordance with BS 5228:1997. This should also include all measures to be undertaken to protect habitats and wildlife during the construction phase of the development identified in the submitted ecology report including as a minimum

- details of precautionary working methods relating to otter and water vole



- details of pre-works check to be undertaken by a suitably qualified ecologist within 3 months of the start of works on site
- details of proposed habitat enhancements

Once approved the CEMP Plan shall be adhered to throughout the construction period.

### 23 Biodiversity Net Gain

The development hereby permitted shall be carried out in accordance with the submitted Biodiversity Net Gain Assessment Report Version 6 prepared by OS Ecology and dated October 2024 to ensure that there is a measurable net gain in biodiversity within a 30 year period as a result of the development and the Plan shall be implemented in full.

No development shall commence until a Biodiversity Management and Monitoring Plan to ensure that there is a measurable net gain in biodiversity within a 30 year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management Plan shall include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

Monitoring reports will be submitted to the Council during years 2,5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

### 24 Travel Plan.

The Travel Plan (October 2024) shall be implemented and the development shall thereafter be carried out and operated in accordance with the approved Travel Plan.

### 25 Construction Management Plan

Notwithstanding the submitted details, no development shall take place in a Phase, until a Construction Management Plan for that Phase has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan(s) shall include as a minimum details of:

- 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 Management Plan(s) shall be adhered to throughout the construction period.

#### 26 Renewables or Fabric First

No development shall take place (with the exception of access road and site preparation works) in a Phase, until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO<sub>2</sub> emissions of that Phase of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the occupation of each dwelling in a Phase the renewable energy equipment or design efficiency measures for that dwelling shall have been installed so that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

#### 27 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.

#### 28 Open Access

Open access ducting to facilitate fibre and internet connectivity shall be provided from the homes to the public highway

#### 29 Bins/ Refuse

Prior to the occupation of each dwelling hereby approved each dwelling should be provided with the appropriate means of waste and recycling provision in accordance with the applicable Council standards

#### 30 Construction working Hours

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.

### 31 Permitted Development Rights – Extensions and alterations

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

### 32 Permitted Development rights - no garage conversions;

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2015 (or any order revoking and re-enacting that Order), no integral garages shall be converted into part of the house and all other (detached or attached) garages shall remain available for the parking of vehicles, unless otherwise agreed in writing by the Local Planning Authority.

### 33 Permitted Development Rights means of enclosure

Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), unless shown on the approved means of enclosure plan no gates, fences, walls or other means of enclosure shall be erected between the front or side wall of any dwelling which the curtilage of the dwelling fronts or abuts.

## 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 :Water Quality Permit Requirements –

You do not require a permit if you are only discharging uncontaminated surface runoff. If you intend to discharge to surface water for dewatering purposes, this may be covered by a Regulatory Position Statement (RPS) for water discharge activities. If you can comply with all the conditions within the RPS, then a permit is not required for this activity.

Please find the RPS conditions here: Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK ([www.gov.uk](http://www.gov.uk))

If any discharges do not fully comply with the RPS, then a bespoke discharge permit will be required.

Please find guidance on applying for a bespoke water discharge permit here:

Discharges to surface water and groundwater: environmental permits - GOV.UK ([www.gov.uk](http://www.gov.uk))

Informative: LLFA

If the applicant proposes to discharge surface water into an ordinary watercourse, 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 meters 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. This is to ensure that any works do not endanger life or property by increasing the risk of flooding or cause harm to the water environment.

#### HEADS OF TERMS

- Affordable Housing
- Employment and training
- Education Contribution based on the standard formula
- Nutrient Mitigation and BNG

**P/46/24 24/1351/FUL Land to The West of Thornaby Pavilion, Thornaby, TS17 9EW  
Erection of a leisure centre incorporating a gym and swimming pool, along with a link bridge to provide a connection to the existing Thornaby Pavilion, with associated access, parking and infrastructure.**

Consideration was given to planning application 24/1351/FUL Land to The West of Thornaby Pavilion, Thornaby, TS17 9EW.

Planning permission was sought for the erection of a leisure centre, which would incorporate a gym and swimming pool, along with a link bridge at first floor to connect to the existing Thornaby Pavilion leisure facilities, together with associated access, parking and infrastructure.

The application was within the centre of Thornaby, in the designated district centre, on a parcel of previously developed, brownfield land. The redevelopment of the site for leisure purposes, would be commensurate with the surrounding land uses, therefore the principle of development in this location was considered acceptable.

The application had been called to Planning Committee for determination as the application had been made by Stockton Borough Council and fell outside of Officers scheme of delegation.

The application had been considered in full and it was considered that the development would not result in any significant conflict with the policies of the Local Plan or relevant chapters of the NPPF and there were no technical reasons why the proposed scheme would be deemed unacceptable in planning terms in which to justify a refusal of the application.

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 in view of the assessment above, it was considered that the proposed development would not result in any significant conflict with the policies contained within the Stockton on Tees Local Plan or the relevant chapters of the NPPF and there were no technical reasons why the proposed scheme would be deemed unacceptable.

In planning terms, the proposed development was considered acceptable in all other regards and was therefore recommended for approval subject to those planning conditions set out in the report.

Officers informed the Committee that since the officers original report there had been a minor amendment to condition 7, full details of which could be found below.

Members fully endorsed the application which would be greatly beneficial to Thornaby and Stockton, however it was also felt that the report lacked detail for further scrutinization.

It was felt that Thornaby Town Deal Board had done an excellent job.

A vote took place and the application was approved.

RESOLVED that planning application 24/1351/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
THP-RYD-00-00-DDR-A-3000-S2-P12	31 July 2024
THP-RYD-00-01-DDR-A-3001-S2-P12	31 July 2024
THP-RYD-00-ZZ-DDR-A-3002-S2-P7	31 July 2024
THP-RYD-00-ZZ-DDR-A-3600-S2-P7	31 July 2024
THP-RYD-00-ZZ-DDR-A-3800-S2-P2	31 July 2024
THP-RYD-00-ZZ-DDR-A-3850-S2-P2	31 July 2024
THP-RYD-XX-XX-LSH-A-0002-S2-P01	31 July 2024
THP-BGP-02-00-DDR-C-2137_P01	31 July 2024
THP-BGP-02-00-DDR-C-2138_P01	31 July 2024
THP-BGP-02-00-DDR-C-2139_P01	31 July 2024
THP-RYD-XX-XX-DR-L-2001-S2-P1	31 July 2024
THP-RYD-XX-XX-DR-L-2100-S2-P3	31 July 2024
THP-RYD-XX-XX-DR-L-2110-S2-P1	31 July 2024
THP-RYD-XX-XX-DR-L-2120-S2-P1	31 July 2024
THP-RYD-XX-XX-DR-L-2701-S2-P1	31 July 2024
THP-RYD-XX-XX-DR-L-7000-S2-P1	31 July 2024

THP-RYD-ZZ-ZZ-DDR-A-0100-S2-P3	31 July 2024
THP-BGP-02-00-DDR-C-2131_P04	23 October 2024
THP-BGP-02-00-DDR-C-2132_P04	23 October 2024
THP-BGP-02-00-DDR-C-2133_P02	23 October 2024
THP-BGP-02-00-DDR-C-2139_P02	23 October 2024
THP-BGP-02-XX-TRP-C-2023_REV002	23 October 2024

### 03 External Materials

The development shall be carried out in accordance with the external materials as detailed in the submitted or otherwise approved 'Planning Exterior Elevation Building Material Schedule', reference 'THP-RYD-XX-XX-LSH-A-0002-S2-P01', submitted 31.07.24

### Hardsurfacing Details

04 Notwithstanding details of the submitted plans, no external hardsurfacing shall be laid until details have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

### External Lighting

05 Notwithstanding details of the submitted plans, no external lighting shall be installed until precise details including specification and location have been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall be developed in conjunction with the sensitive lighting requirements outlined in the submitted Ecological Impact Assessment. The lighting scheme shall thereafter be implemented in accordance with the approved details.

### Tree Protection

06 No development shall commence until tree protection measures as outlined in Section 8 of the submitted 'Arboricultural Constraints Survey, Impact Assessment, Protection Plan and Method Statement', produced by 'Ecoserv Ltd', dated 24th May 2024 have been undertaken. The tree protection measures shall remain in place during the entire construction period of the development hereby approved.

### Landscaping Details

07 Notwithstanding details of the submitted landscaping strategy, no landscaping shall be undertaken until a detailed landscaping scheme in conjunction with the Biodiversity Management and Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority.

The landscape scheme shall include accurate plan-based details of the following:

- Details of hard and soft landscaping including planting species, sizes, layout, densities, numbers.
- Details of planting procedures or specification.
- Finished topsoil levels and depths.
- Details of temporary topsoil and subsoil storage provision.
- Seeded or turf areas, habitat creation areas and details etc. Details of land and surface drainage.

- The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.

Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats.

#### Landscaping Implementation

08 All new planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme and Biodiversity Net Gains requirements shall be carried out in the first available planting season following the practical completion of the development.

No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats.

Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges.

Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Replacements will be subject to the same conditions.

#### Noise Report

09 The development shall be carried out in strict accordance with the submitted 'plant noise assessment' report, produced by Apex Acoustics Limited, dated 12th July 2024. The noise level of plant hereby approved shall not exceed noise levels as outlined in Table 3 of the report, and the plant shall be maintained and serviced in accordance with manufacturer requirements.

Any new additional plant required, the details of which, including an updated noise assessment, shall first be submitted to and approved in writing by the Local Planning Authority and thereafter installed in accordance with the details as approved.

#### Air Quality

10 The development shall be carried out in strict accordance with the mitigation measures outlined in Section 7 of the submitted Air Quality Assessment - Rev B, produced by Apex Acoustics Limited, dated 11.07.24.

#### Unexpected Land Contamination

11 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.

#### Travel Plan

12 Within 12 months of the date of occupation of the development hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures contained within the approved Travel Plan shall be implemented in full thereafter.

#### Construction Environmental Management Plan

13 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 construction traffic, 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.

#### Discharge of Surface Water

14 The development of foul and surface water installation 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.

#### Packaged Pumping Station Details

15 The development of foul and surface water installation hereby approved shall not be commenced on site, until full details of the proposed Package Pumping Station have been submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved maintenance plan.

#### Biodiversity Net Gain

16 The development hereby permitted shall be carried out in accordance with the submitted 'Biodiversity Net Gain Statement', produced by 'Ecosurv Ltd', dated 17 July 2024 (ref: R2) to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development and the Plan shall be implemented in full.

No development above base course level shall commence until a Biodiversity Management and Monitoring Plan (in conjunction with the approved Landscaping scheme) to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development has been submitted to and agreed in



writing by the Local Planning Authority. The Biodiversity Management Plan shall include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

Monitoring reports will be submitted to the Council during years 2, 5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

#### Ecology and mitigation

17 The development hereby approved shall be undertaken in strict accordance with the 'Mitigation' as outlined in Section 8 of the submitted Ecological Impact Assessment, produced by Ecoserv Ltd, dated 06.07.24.

#### Construction Hours

18 In undertaking the development that is hereby approved:

No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0900 to 1300 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0900 to 1300 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

#### 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: Bats and nesting birds

Bats and nesting birds are protected under the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017. It is an offence to deliberately capture, injure, disturb or kill bats or damage or destroy a roost or habitat. Therefore close inspection of buildings should be undertaken for bats and their roosts, and nests prior to the commencement of any works. This should include any crevices, holes or cracks. If bird nests are evident works should be avoided during the bird nesting season (March-September). If bats are found, work should cease immediately, and contact be made with the National Bat Helpline on 0345 1300 228 or email the BCT on enquiries@bats.org.uk to discuss the best way forward.

##### Informative: Northern Gas Networks

There may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Informative: Cleveland Fire Brigade

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system.

Further comments may be made through the building regulation consultation process as required.

Informative: Secure by Design (Cleveland Police)

Cleveland Police would encourage the applicant to get in touch at their earliest convenience to discuss measures that might be incorporated into the scheme in order to reduce crime and antisocial behaviour. (doco@cleveland.police.uk)

**P/47/24**

## **Appeals**

The appeals were noted.