

**Date:**

Wednesday 5 November 2025 at 1.30 pm

**Venue:**

Council Chamber, Dunedin House, Columbia Drive, Thornaby, TS17 6BJ

**Cllr Mick Stoker (Chair)**

**Cllr Michelle Bendelow (Vice-Chair)**

Cllr Carol Clark, Cllr Dan Fagan, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Shakeel Hussain, Cllr Eileen Johnson, Cllr Tony Riordan, Cllr Andrew Sherris, Cllr Norma Stephenson OBE, Cllr Jim Taylor, Cllr Sylvia Walmsley and Cllr Barry Woodhouse

**Agenda**

1. **Evacuation Procedure** (Pages 7 - 10)
2. **Apologies for Absence**
3. **Declarations of Interest**
4. **Planning Protocol** (Pages 11 - 12)
5. **Minutes of the meetings which were held on 4 June, 6 August and 10 September 2025** (Pages 13 - 56)
6. **24/0977/OUT Little Maltby Farm, Low Lane, High Leven, Yarm, TS15 9JT** (Pages 57 - 100)

Outline Planning Application (with all matters reserved except access) comprising a convenience foodstore and a parade of 4no convenience facilities (Use Class E) and associated outdoor terrace area. Erection of retirement living apartments (use class C3) or residential care accommodation (use class C2) of approx. 60 bed spaces. Erection of 4no self build residential plots (Use Class C3).

7. **25/1514/OUT Land South of Manor Close, Wolviston** (Pages 101 - 138)

Outline application for the erection of up to 11no self-build plots with all matters reserved except access.

8. **25/0777/LA Roundabout at junction with Bader Avenue and Thornaby Road, Thornaby** (Pages 139 - 154)

Application for construction of a footpath/cycle way on existing open space.

9. **25/0759/LA Land East of Clarendon Road, Thornaby** (Pages 155 - 176)

Application for construction of a footpath/cycle way on existing open space.

**10. Housing Supply and Delivery: Annual Position Statement 2025/26 to 2029/30**  
(Pages 177 - 198)

**11. Planning Compliance Performance Report**  
(Pages 199 - 202)

**12. Appeals**  
(Pages 203 - 208)

1. Appeal - Mr Shaide Iqbal - 93 Bishopton Road - 24/2110/RET - Allowed with  
Conditions

## **Members of the Public - Rights to Attend Meeting**

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

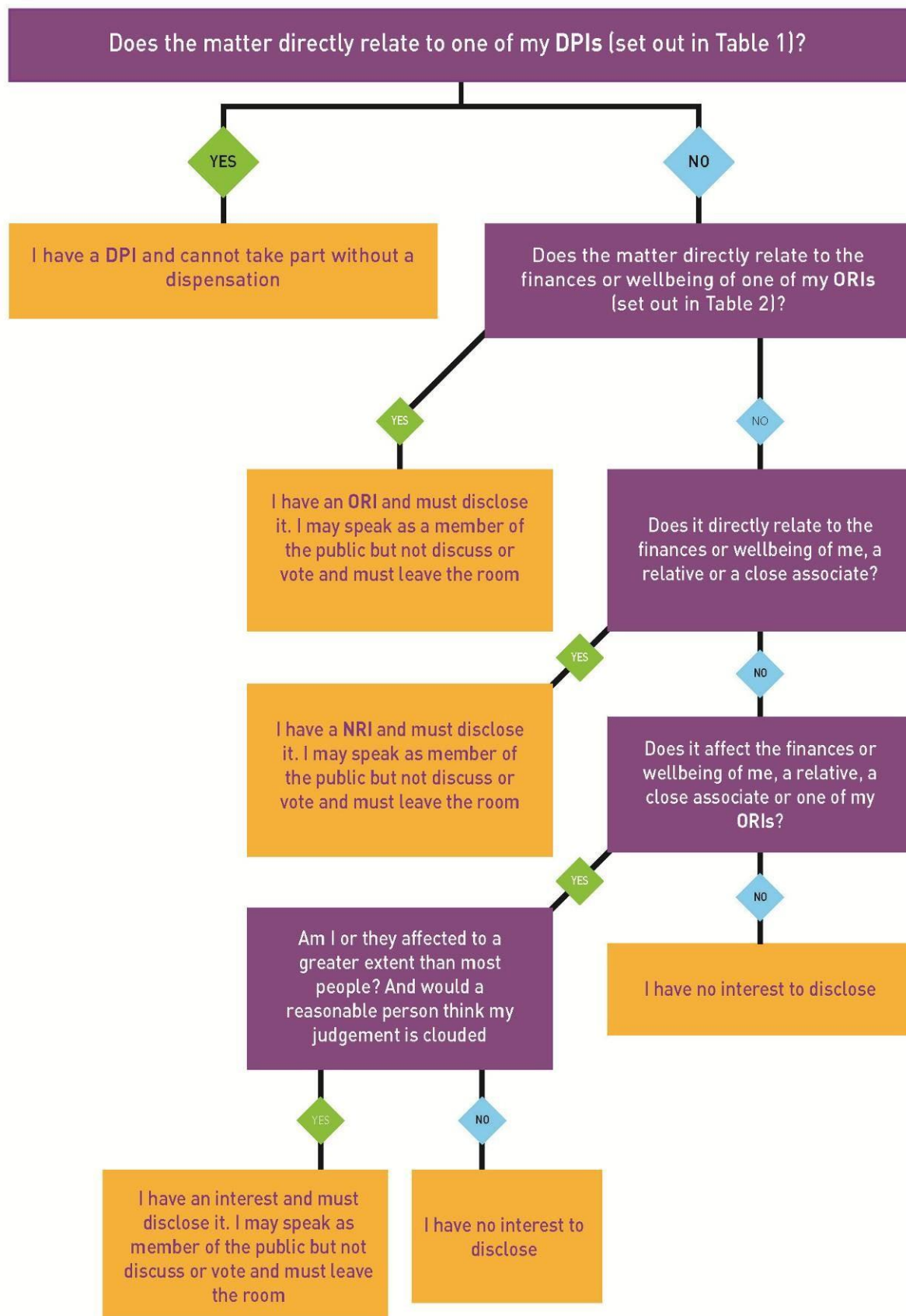
Persons wishing to obtain any further information on this meeting, including the opportunities available for any member of the public to speak at the meeting; or for details of access to the meeting for disabled people, please.

Contact: Democratic Services Officer Sarah Whaley on email [sarah.whaley@stockton.gov.uk](mailto:sarah.whaley@stockton.gov.uk)

**Key – Declarable interests are :-**

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

**Members – Declaration of Interest Guidance**



**Table 1 - Disclosable Pecuniary Interests**

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

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

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

## **Table 2 – Other Registrable Interest**

You must register as an Other Registrable Interest:

a) any unpaid directorships

b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority

c) any body

(i) exercising functions of a public nature

(ii) directed to charitable purposes or

(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

## Council Chamber, Dunedin House Evacuation Procedure & Housekeeping

### Entry

Entry to the Council Chamber is via the Council Chamber entrance indicated on the map below.



In the event of an emergency alarm activation, everyone should immediately start to leave their workspace by the nearest available signed Exit route.

The emergency exits are located via the doors on either side of the raised seating area at the front of the Council Chamber.

Fires, explosions, and bomb threats are among the occurrences that may require the emergency evacuation of Dunedin House. Continuous sounding and flashing of the Fire Alarm is the signal to evacuate the building or upon instruction from a Fire Warden or a Manager.

The Emergency Evacuation Assembly Point is in the overflow car park located across the road from Dunedin House.

**The allocated assembly point for the Council Chamber is: D2**

Map of the Emergency Evacuation Assembly Point - the overflow car park:



All occupants must respond to the alarm signal by immediately initiating the evacuation procedure.

When the Alarm sounds:

1. **stop all activities immediately.** Even if you believe it is a false alarm or practice drill, you MUST follow procedures to evacuate the building fully.
2. **follow directional EXIT signs** to evacuate via the nearest safe exit in a calm and orderly manner.
  - do not stop to collect your belongings
  - close all doors as you leave
3. **steer clear of hazards.** If evacuation becomes difficult via a chosen route because of smoke, flames or a blockage, re-enter the Chamber (if safe to do so). Continue the evacuation via the nearest safe exit route.
4. **proceed to the Evacuation Assembly Point.** Move away from the building. Once you have exited the building, proceed to the main Evacuation Assembly Point immediately - located in the **East Overflow Car Park**.
  - do not assemble directly outside the building or on any main roadway, to ensure access for Emergency Services.



**5. await further instructions.**

- **do not re-enter the building under any circumstances without an “all clear”** which should only be given by the Incident Control Officer/Chief Fire Warden, Fire Warden or Manager.
- do not leave the area without permission.
- ensure all colleagues and visitors are accounted for. Notify a Fire Warden or Manager immediately if you have any concerns

**Toilets**

Toilets are located immediately outside the Council Chamber, accessed via the door at the back of the Chamber.

**Water Cooler**

A water cooler is available at the rear of the Council Chamber.

**Microphones**

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

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## **Planning Committee Procedure**

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

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## Planning Committee

A meeting of Planning Committee was held on Wednesday 4th June 2025.

**Present:** Cllr Mick Stoker (Chair), Cllr Michelle Bendelow (Vice-Chair)  
Cllr Carol Clark, Cllr John Coulson (Sub for Cllr Shakeel Hussain), 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, Cllr Sally Ann Watson (Sub for Cllr Dan Fagan) and Cllr Barry Woodhouse

**Officers:** Stephen Donaghy (DoA&H), Simon Grundy (DoF,D&R), Martin Parker (DoCS,E&C), Julie Butcher and Sarah Whaley (DoCS)

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

**Apologies:** Cllr Dan Fagan and Cllr Shakeel Hussain

**P/7/25      Evacuation Procedure**

The Evacuation Procedure was noted.

**P/8/25      Declarations of Interest**

There were no declarations of interest.

**P/9/25      Minutes of the meetings which were held on 5 March and 9 April 2025**

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

**P/10/25     Planning Protocol**

The Planning Protocol was noted.

**P/11/25     25/0086/LA South Lodge, Preston Park, Yarm Road Demolition of existing lodge, erection of metal structure, artwork, hard and soft landscaping and other associated works.**

The Chairman of the Planning Committee agreed to hear the officers report and member debate in relation to items 25/0086/LA and 25/0087/LBC, as one, as both items related to the same development.

The Planning Officer outlined planning application 25/0086/LA South Lodge, Preston Park, Yarm Road Demolition of existing lodge, erection of metal structure, artwork, hard and soft landscaping and other associated works and 25/0087/LBC South Lodge, Preston Park, Yarm Road Listed building consent for the demolition of existing lodge, erection of metal structure, artwork, hard and soft landscaping and other associated works.

The applications sought planning permission and listed building consent for the demolition of South Lodge, the erection of a metal structure artwork, hard and soft landscaping and other associated works.

The proposed development would incur the loss of a curtilage listed of South Lodge. It was considered that South Lodge was of low architectural importance and its historical significance was derived from its ties to Preston Hall. On balance, its loss was marginally outweighed by mitigation and public benefits.

It had been demonstrated that the proposed development would enhance the visitor experience of visiting for local residents and tourists from further afield and, in turn, strengthen the attraction's local distinctiveness and unique history of the Stockton and Darlington Railway (S&DR) on the Railway's bicentenary.

Revised plans had been received through the planning process following concerns around the proximity of the proposed development to extant earthworks of the S&DR Railway. The proposed development now indicated that the extent of the groundworks would be purely contained within the existing footprint of South Lodge and any undiscovered earthworks within the grounds of the Site were considered to be low in terms of their overall understanding of the S&DR. Suitable controls had been recommended via planning condition to mitigate any harm that may be presented to the extant earthworks.

Overall, it was considered that the development comprised sustainable development, when considered in the context of the NPPF when taken as a whole. Furthermore, whilst the development would result in harm to the setting of the existing Grade II listed Preston Hall, this was considered to be less than substantial, which would be outweighed by the public benefits of the scheme.

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.

For application 25/0086/LA, the Planning Officers report concluded, the proposed scheme was considered a very balanced case. On balance, it was considered that the public benefits arising from the scheme would marginally outweigh the harm resulting from the loss of the building, therefore the application was recommended for approval for the reasons as detailed within the main report.

For planning application 25/0087/LBC, the Planning Officers report concluded that the scheme was considered that the works were acceptable and would not adversely impact on the historic fabric of the building. The proposals were considered to conserve the character, appearance and significance of the building and would not adversely impact on it as a building of special historic interest. The application was therefore recommended for approval for the reasons as detailed within the main report

Members were presented with update reports for applications 25/0086/LA and 25/0087/LBC South Lodge, Preston Park, Yarm Road which since the Officers report

detailed further comments which had been submitted by Tees Archaeology and the Applicant's planning agent on the proposed scheme.

In terms of application 25/0086/LA the comments received did not alter the original recommendation of approval with conditions and any new issues raised were addressed within the update report. No conditions were set to be altered within the applications as they principally related to conditions set out within the counterpart listed building consent application.

In terms of application 25/0087/LBC the comments received did not alter the original recommendation of approval with conditions and any issues raised were addressed within the update report. Conditions had been altered since the original report, which had been worked on and agreed through written dialogue with the Local Planning Authority, the Applicant's planning agent, the Applicant, the Historic Buildings Officer and Tees Archaeology. Full details were contained within the update report.

There were no Applicants, Agents or Members of the public in attendance at the meeting.

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

- It was felt that the officer's report contained many contradictions, such as highlighting that the demolition of South Lodge would lead to substantial harm but then recommending that the site be demolished.
- Discussion was had around page 57 within the agenda pack which stated "Less than substantial harm would be caused to the significance and setting of Preston Hall" which was in accordance within paragraph 215 of the NPPF and then page 68 which went on to highlight the significance of South Lodge and its listing, which Members felt was contradictory.
- It was stated within the officer's report that 'Where there was evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision'; however it appeared this heritage asset had been deliberately neglected by the Local Authority, so how could South Lodge be recommended for demolition?
- The public benefits should South Lodge be demolished were low and not substantial as stated within the officers' report, therefore the application should be refused.
- There was no evidence contained within the officer's report to say that the Council had explored the preservation of South Lodge for future use and whether the costs associated with the demolition could be used for restoration.
- What were the implications regards future access for neighbours residing in North Lodge as well as access during the construction phase should the scheme be approved?
- A request was made that should the scheme gain approval access for North Lodge be signposted to highlight to visitors of Preston Hall / Park be aware that the occupiers of North Lodge had access rights.

- Clarity was sought as to whether South Lodge was listed solely because it was within the curtilage of Preston Hall?
- Heritage assets needed to be developed and conserved. South Lodge was developed when the Ropner Family still had Preston Hall. South Lodge should be kept at all costs.
- Concerns were raised regards the proposed hardstanding encroaching on parkland.
- Suggestions were made that if South Lodge was brought back into use community groups could use it such as the Model Railway Group who were currently looking for new premises.
- There was no structural report, and if there were structural issues then Members should have been provided with evidence.

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

- Officers acknowledged that there was a fine balance between the harm and benefits of the scheme, however when looking at the overall balance, the impact was of low significance. The Applicant had taken into account the associated impact and had revised plans in accordance with paragraph 75 of the NPPF to protect earthworks which would be within the footprint of South Lodge. Suitable controls had been recommended via planning condition to mitigate any harm that may be presented to the extant earthworks. Officers were therefore in favour to demolish South Lodge as on balance the harm would be outweighed by the public benefits of the scheme.
- The cost of restoration was significant; however, this had not been considered.
- There would still be access for North Lodge. In terms of access rights to North Lodge during construction, if documents were available to say they had protected right of access, then this should be maintained, or alternative access would be provided.
- Officers explained that signage to indicate occupiers of North Lodge had right of access was not a planning consideration however officers' would ask the relevant team to investigate possibilities.
- The building itself had no architectural value and was purely listed due to its association with Preston Hall.
- Officers recognised the fine balance between the harm and overall benefits and did not take these decisions lightly, however the benefits on balance outweighed the harm, and the proposed artwork would enhance the visitor experience.
- Preston Hall and its grounds had changed over the years, it was a home now it was a municipal building,
- In terms of hardstanding, this would not encroach on parkland.
- It was confirmed that there was a structural report within the application.

A vote took place and the application was refused.



RESOLVED that 25/0086/LA South Lodge, Preston Park, Yarm Road Demolition of existing lodge, erection of metal structure, artwork, hard and soft landscaping and other associated works be refused for the following reasons:

In the opinion of the Local Planning Authority, the proposed development would adversely impact on the curtilage listed heritage asset and subsequently the character and significance of the grade II listed Preston Hall. No clear and convincing justification has been provided to justify the loss of the heritage asset nor is the resulting harm outweighed by the associated public benefits, as required by paragraph 214 of the NPPF. It is considered that the proposed works would therefore cause harm to the significance of the designated heritage asset and would therefore fail to conserve the asset in a manner appropriate to its significance and conflict with Policies SD5 (1J & 3), HE2(4) and HE3 of the adopted Local Plan and paragraph 214 of the NPPF.

**P/12/25      25/0087/LBC South Lodge, Preston Park, Yarm Road Listed building consent for the demolition of existing lodge, erection of metal structure, artwork, hard and soft landscaping and other associated works.**

For the discussion of this item please see above.

A vote took place and the application was refused.

RESOLVED that 25/0087/LBC South Lodge, Preston Park, Yarm Road Listed building consent for the demolition of existing lodge, erection of metal structure, artwork, hard and soft landscaping and other associated works be refused for the following reasons:

In the opinion of the Local Planning Authority, the proposed development through the loss of a curtilage listed building would adversely impact on the heritage asset and subsequently fail to preserve or enhance the character or appearance the grade II listed Preston Hall. No clear and convincing justification has been provided to justify the loss of the heritage asset as required by paragraph 214 of the NPPF. It is therefore considered that the proposed works would cause harm to the significance of the designated heritage asset and would fail to conserve the asset in a manner appropriate to its significance, character and appearance, in conflict with Policies SD5 (1J & 3), HE2(4) and HE3 of the adopted Local Plan; paragraph 214 of the NPPF; and, Section 16 (2) of the Listed Buildings and Conservation Areas Act (1990).

**P/13/25      25/0842/FUL Installation of PV panels to roof. The Forum Theatre, Town Centre, Billingham, TS23 2LJ**

The Chairman of the Planning Committee agreed to hear the officers report and member debate in relation to items 25/0842/FUL and 25/0667/LBC, as one, as both items related to the same development.

The Planning Officer outlined planning application 25/0842/FUL Installation of PV panels to roof. The Forum Theatre, Town Centre, Billingham, TS23 2LJ and 25/0667/LBC The Forum Theatre, Town Centre, Billingham Listed Building Consent for the installation of PV panels to roof.

Planning Permission and Listed Building Consent was sought for the installation of 954no PV panels to the roof of The Forum Theatre, Billingham

The application was brought before members as the proposed development exceeded “minor” development which was classed as buildings up to and including 500m<sup>2</sup>, of floorspace, Advertisements, CCTV systems, and any structures required to be erected to enable the Council to fulfil its responsibility and function of Community Safety. Each panel was 2.31m<sup>2</sup> and the total coverage of the roof would be 2203m<sup>2</sup>.

In terms of character considerations and the heritage asset, the Forum, although listed, was a modern in appearance building. The siting of the PV panels would be positioned away from the roof edge and would be further screened by the parapet walls to The Forum’s roof edge. It was not considered that the PV panels would be visible from street level.

In terms of amenity, high-rise buildings were nearby (Kennedy Gardens). The applicant had sought to address potential implications arising from glint and glare by using anti-glare/anti-reflective coatings on the PV panels. Subject to the recommended controlling conditions it was not considered that those residents would be impacted by the installation of the PV panels to the roof of The Forum.

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

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

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

The Planning Officers report concluded that the application be Approved with Conditions for the reasons as specified within the main report.

There were no Applicants, Agents or Members of the public in attendance at the meeting.

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

- There had been some initial concerns of the impact of the panels on the residents of Kennedy Gardens however these had now been alleviated due to the panels being antiglare.

- The application was welcomed; the panels would be good for the environment and residents that had been consulted were supportive of the scheme.

A vote took place and the application was approved.

RESOLVED that planning application 25/0842/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
25068-HL-XX-ZZ-DR-A-1000-S3-P01	25 April 2025
25068-HL-XX-RF-DR-A-2004-S3-P01	25 April 2025
25068-HL-XX-RF-DR-A-2005-S3-P01	25 April 2025
25068-HL-XX-XX-DR-A-1200-S3-P01	25 April 2025
25068-HL-XX-XX-DR-A-1201-S3-P01	25 April 2025
25068-HL-XX-XX-DR-A-2100-S3-P02	25 April 2025
25068-HL-XX-XX-DR-A-2101-S3-P02	25 April 2025

#### 03 Solar PV restrictions

- (a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and
- (b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.
- (c) the solar PV equipment or solar thermal equipment shall be covered the with anti-reflective coatings.
- (d) the solar PV equipment or solar thermal equipment shall be angled in such a way as to prevent reflection towards sensitive receptors.

#### 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/14/25**

#### **25/0667/LBC The Forum Theatre , Town Centre, Billingham Listed Building Consent for the installation of PV panels to roof.**

For the discussion of this item please see above.

A vote took place and the application was approved.

RESOLVED that planning application 25/0667/LBC 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
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25068-HL-XX-XX-DR-A-1200-S3-P01	1 April 2025
25068-HL-XX-XX-DR-A-1201-S3-P01	1 April 2025
25068-HL-XX-XX-DR-A-2100-S3-P01	1 April 2025
25068-HL-XX-XX-DR-A-2101-S3-P01	1 April 2025
25068-HL-XX-RF-DR-A-2004-S3-P01	26 March 2025
25068-HL-XX-RF-DR-A-2005-S3-P01	26 March 2025
SBC0001	26 March 2025

#### 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/15/25      20/1244/COU Change of Use from Retail to Drinking Establishment (sui generis), with outdoor beer garden and smoking shelter to front at 2 High Newham Road, Stockton-on-Tees, TS19 8RQ**

Consideration was given to planning application 20/1244/COU Change of Use from Retail to Drinking Establishment (sui generis), with outdoor beer garden and smoking shelter to front at 2 High Newham Road, Stockton-on-Tees, TS19 8RQ.

Planning permission was sought for the change of Use from Retail to Drinking Establishment (sui generis), with outdoor beer garden and smoking shelter to front at 2 High Newham Road, Stockton-on-Tees.

The application remained outstanding as a noise report was to be submitted. This had never been received and therefore it needed to be considered whether to refuse the application and take enforcement action or approve the application based on the information we had.

The application had been reviewed and following discussions with Environmental Health no noise complaints had been received post the pandemic and equally no further complaints had been received following the original consultation exercise.

Given these circumstances, it was considered that conditions could be applied to successfully control the development to ensure that the proposed development would not have an adverse impact on neighbouring properties.

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

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

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

The Planning Officers report concluded that the application be Approved with Conditions for the reasons as detailed within the report.

There were no Applicants, Agents or Members of the public in attendance at the meeting.

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

- Since the original issues at the premises the Licensing Service had worked hard with the premises to establish licensing conditions. There had been a change of landlord with no further concerns. It was a small establishment and enjoyed by local residents.
- Clarity was sought that if the application site was ever to be extended then would another application need to be made?
- Concerns were raised in terms of the willingness of the current landlord to engage with local residents should there be any further concerns raised.

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

- An application would need to be submitted to the Council should the landlord request to extend the premises.
- There were a number of conditions to ensure there would be no adverse impact on neighbours. The Licensing Authority had also agreed to a licence with conditions.

A vote took place and the application was approved.

RESOLVED that planning application 20/1244/COU be approved 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
SBC0001 A	20 November 2020
SBC0002	20 November 2020

#### 02 Opening hours

The drinking establishment (Sui-Generis Use Class) hereby permitted shall not be open for business outside the hours of 11:00 to 23:00, 7 days a week, all staff shall vacate the premises by 23:30

#### 03 Outside Seating Area

The associated outside seating area as shown on plan ref SBC002 as received by the Local Planning Authority 20 November 2020 shall be vacated by patrons by 20:00

#### 04 Noise

There shall be no amplified sound or live music on the premises at any time and noise levels shall not exceed background levels. There shall be no music played outside.

#### 05 Fixed Plant

The rating level of sound emitted from [any fixed plant and/or machinery associated with the development] [industrial activities at the use hereby approved] shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-

2300 (taken as a 1 hour LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

#### 06 Smoking Shelter

Notwithstanding the submitted plans, prior to installation of any smoking shelter, full details should be submitted and approved in writing by the local planning authority.

Reason: In the interests of the visual amenities of the area and the amenity of occupants of residential properties in the locality.

#### 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.

## Planning Committee

A meeting of Planning Committee was held on Wednesday 6th August 2025.

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

**Officers:** Simon Grundy, Martin Parker (DoCS,E&C), Julie Butcher, Peter Bell and Stephen Donaghy (DoA&H)

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

**Apologies:** Cllr Dan Fagan, Cllr Shakeel Hussain and Cllr Jim Taylor

### **P/16/25 Evacuation Procedure**

The Chair welcomed everyone to the meeting and the evacuation procedure was noted.

### **P/17/25 Declarations of Interest**

There were no interests declared.

### **P/18/25 Planning Protocol**

The planning protocol was noted.

### **P/19/25 25/0649/FUL - North And South Site, Stor Generating Plant, Seal Sands Link Road, Billingham - Erection of 2no external structures around existing power plant enclosure and associated works.**

Consideration was given to a report on planning application 25/0649/FUL - North And South Site, Stor Generating Plant, Seal Sands Link Road, Billingham - Erection of 2no external structures around existing power plant enclosure and associated works.

Planning permission was sought for the erection of two external structures around the existing power plans at Saltholme.

The plants had their permits suspended until the noise issues were resolved and were non-operational. The proposed structures were to reduce the noise levels that were causing disturbance to nearby residents in Cowpen Bewley Village.

The application had been considered by the Environmental Health Team and no objections had been raised. The Environment Agency had confirmed that whilst they were considering the permit information, they were confident that the measures would resolve the issues with noise. As detailed in the report it could not be properly measured or assessed until the applicant was allowed to implement the scheme as

applied for and thereafter the noise predictions could be validated. The facility was already constructed, and it was essential that the mitigation work was undertaken.

The scheme had been considered in full in terms of visual impacts and other wider implications and it was considered that there were no adverse impacts that would warrant refusal of the application.

The application was recommended for approval with conditions as detailed within the report.

For information and to assist members a Glossary of Acoustic terms was attached to the report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan was the Stockton on Tees Borough Council Local Plan 2019.

Section 143 of the Localism Act came into force on the 15 January 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority should have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

Consultees were notified and the comments that had been received were detailed within the report.

With regard to consultation neighbours had been notified and the application was advertised on site. The comments that had been received were detailed within the report.

Overall, it was considered that the proposed scheme would not have an adverse impact on the area and would resolve the noise issues currently experienced by residents and the benefits of the proposed intervention were noted.

It was recommended that the application be approved with conditions for the reasons specified above.

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

- UK based operation founded 10 years ago and operate power sites across the country working to help the electricity system stay reliable in its transition to net zero.
- Saltholme is one of the UK's most efficient plants. It is turned off most of the time and is intended to operate in low power generation or excess demand.
- The plant came into operation in late 2021 and it was noticed that the low frequency noise generated by the site was higher than the planning assessments predicted. For



the past few years, we have undertaken a lot of independent noise assessments and consultations.

- A design has been developed and is before members today. We are confident that the design is robust and will alleviate all of the noise issues that have been flagged over the past few years.

- The EA and the Borough Council have confirmed that they are satisfied with the proposal and if the plan is approved, we intend to start the work immediately to alleviate the issues.

- Noise measurements will take place after the work has been completed to demonstrate that the works have been successful.

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

- Respectfully request that the application is rejected.

- Residents have suffered torment, anguish and mental stress as a result of the operation of this site.

- The key issue is of the low frequency noise persistent and pulsating, which is widely acknowledged in the acoustics literature to cause not only annoyance but also mental stress.

- The issue was highlighted and predicted by our noise consultant to the original plant build being approved. Subsequent events had proven this analysis to be entirely correct.

- In this application, our noise consultant is again preaching caution, noting inconsistencies of approach and inadequate attention to the low frequency noise pattern. He states specifically that it is unlikely that measures would achieve the required reduction in low frequency.

- The applicants assessment is partially based on noise reduction that exists though a query about the previous recorded levels where the applicants' consultant has used their own measured 66 decibels discounting earlier data showing peak levels of 72 decibels and doing this discrediting a reputable company that undertook those measurements. It is unclear whether the data is indeed incorrect or simply inconvenient.

- The applicant has referenced many times a benchmark Australian journal referencing a desirable level of low frequency noise. Indeed, they cite this six times the technical memorandum 11 in response to initial objections, as well as in their environmental noise impact assessment. When challenged however on the validity and acceptability of this paper, they discarded it coming back only to regulatory values.

- Prior to construction, we were promised a maximum of 1 decimal per background noise. They should be requested to stick to these targets.

- Fundamental issues relating to the benchmark noise data, the processing of the data and its analysis, notably as regards to the low frequency element remain unresolved, throwing into doubt predicted low frequency noise levels.

This all feels too much.

- There was sufficient doubt cast on the noise predictions, especially at low frequency that the proposed improvements will likely not alleviate the suffering of the residents.

- Residents must have absolute assurances about the noise alleviation measures.

- The Planning Committee received a comprehensive noise report from a nationally recognised expert on low frequency noise pollution, that report made a clear and specific prediction that residents would be impacted by noise from the site. That prediction has turned out to be devastatingly accurate.

- If the 3 further validation reports are not at agreed levels the site should be shut down otherwise residents will be in a noise pollution situation again.

- The sound meter should remain on the site boundary for the lifetime of this project, that way if there's a change in operation or equipment then the site remains in compliance.

- Since the suspension of the environmental permits peace and tranquilly have returned to residents.

- Residents have had limited use of their gardens due to the noise disturbance and some have moved out of their main bedroom due to the noise disturbance.

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

- The noise mitigation measures that are required must be installed to go through the verification process.

- The Environment Agency hold a lot of the power in this and they give consent for permit and they've got to be satisfied before they will lift the suspension of the permit, hopefully that will give the members a degree of comfort.

- There is a now a process that needs to be gone through before the plant can operate again.

- The requirements that are set out in the planning conditions align perfectly with the work of the Environment Agency also the British standard which has been employed throughout the assessment methodology is the accepted standard that is used in this type of instance.

- The conditions that have been changed allow for the works to proceed for validation to be completed and for it to be proven that this is the case.

- The Environment Agency in discussion with SBC will not lift the suspension until the conditions have been met and must continue to do so for the lifetime of the development.

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

- What role will the Council play in the monitoring of the situation?
- Hope the situation will be cured and know that officers of SBC and the EA will take action if necessary.
- Is the noise persistent whether the site is running or not?

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

- SBC will have a say in the location of the sound level meter on the site and will receive the data as part of the validation process. There will then be 3 further validation exercises to ensure that the noise is assessed over a period of time.
- The site doesn't always generate noise just when operational.

A vote took place and the application was approved.

RESOLVED that planning application 25/0649/FUL be approved subject to the following conditions and informatives:-

1. Time Limit

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

2. Approved Plans

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

Plan Reference Number	Date Received
L284_L_X_LP_1	24 March 2025
DE100-AR-GLA-001 REV A2	24 March 2025
DE100-AR-GLA-002 REV A2	24 March 2025
DE100-AR-GLA-003 REV A2	24 March 2025
DE100-AR-GLA-004 REV A2	24 March 2025
DE100-AR-GLA-005 REV A2	31 March 2025
DE100-AR-GLA-006 REV A2	31 March 2025
DE100-AR-GLA-007 REV A2	31 March 2025
DE100-AR-GLA-008 REV A2	24 March 2025

3. On-site Sound Level Meter

Prior to bringing the facility back into use a sound level meter shall be installed at a location to be agreed in writing with the local planning authority in consultation with the Environmental Health Unit.

Data from the sound level meter, including third octave bands shall be provided to the Local Planning Authority as part of the validation report as referred to in condition 5 and thereafter upon request within a time period not exceeding 2 working days.

The sound level meter shall be in position for the first 12 months of the site becoming operational after the mitigation measures have been completed in full.

4. Installation of Mitigation Measures

The site should operate in accordance with the acoustic mitigation measures specified within P2274-REP02-REV A-BDH for the lifetime of the proposal.

5. Noise Validation Report

Within 28 days of the site becoming operational, a validation report shall be submitted with noise measurements taken at the site boundary, the identified noise sensitive receptors and the location of the sound level meter, to demonstrate compliance with table 1 and B1 of Technical Memorandum 12 Revision A (dated 03/06/2025) (Validation report).

Should the levels exceed the approved levels at any location, then a mitigation plan shall be submitted and approved in writing for measures to reduce the noise to those within the approved report.

All mitigation measures should then be implemented within an agreed timescale with the Local Planning Authority.

Following this, three further validation Reports will be provided to the local planning authority over three month intervals within a 12-month period demonstrating compliance with predicted post-mitigation rating limits.

Should the Validation Reports identify non-compliance with the noise levels as agreed, the operator shall submit a mitigation plan and the mitigation measures shall be carried out in accordance with that mitigation plan as approved by the Local Planning Authority.

Upon acceptance of the validation report and for the lifetime of the development thereafter, operational noise levels arising from the development should not exceed the noise levels in Table 1 and Table B1 of Technical Memorandum 12 Revision A (dated 03/06/2025).

6. 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.

**P/20/25**

**24/2109/RET - 4 Alford Lane, Stockton-on-Tees, TS19 0QP - Retrospective application for the change of use of existing detached garage to aesthetics business.**

Consideration was given to a report on planning application 24/2109/RET - 4 Alford Lane, Stockton-on-Tees, TS19 0QP - Retrospective application for the change of use of existing detached garage to aesthetics business.

Planning permission was sought on a retrospective basis for the change of use of the detached outbuilding to an aesthetics business. According to the supporting statement, services include dermal fillers, anti-wrinkle treatments, skin facials, vitamin injections, fat dissolving, skin analysis/consultations, skin tag removal and PRP (Platelet-Rich Plasma) treatments. The business operates Monday – Friday 9am – 2:30pm and Saturdays 10am – 4pm, by appointment only.

The application had generated a total of 31no letters of objection and 19no letters of support following neighbour consultations. No objections had been raised by statutory consultees.

The application site related to a detached outbuilding, a former garage, within the rear garden of 4 Alford Lane, which was within a residential estate of Stockton. The application had been assessed in full, and it was considered that the development did 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 was deemed to be unacceptable in planning terms in which to justify refusal of the application.

In accordance with the Councils scheme of delegation, the application would be determined by Planning Committee due to the number of objections received to the proposed development.

Consultees had been notified and the comments that had been received were detailed within the report.

With regard to consultation neighbours had been notified and 31no. letters of objection were received which included 11no proforma letters and 13no proforma letters which contained additional comments. The comments that had been received were summarised within the report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Stockton on Tees Borough Council Local Plan 2019.

Section 143 of the Localism Act came into force on the 15 January 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application the authority should have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

The planning policies that were to be considered to be relevant to the consideration of the application were detailed within the report.

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.

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

- The cited working hours on the website are 9am-6:30pm but the application is Monday to Friday 9am to 2:30pm and Saturday 10am to 4pm. This has not been the case as some customers arrive at 7pm.
- Some clients turn up early which leads to increased parking demand and clients waiting around outside for their appointment.
- Parking from some clients has caused problems, reducing space for pedestrian access and causing obstructions.
- Many 3-point turns take place outside the business.
- There are 3 businesses running from this business, this is a residential street with many elderly living on it.
- The application form has not been completed and surprised that it has been accepted.
- The aesthetics business is becoming more popular, and concerns are raised regarding future parking problems.
- None of the supporters are from the Stockton area but most of the objectors are from Alford Lane.
- There is often general waste overflowing from the applicants' bin.
- Alford Lane is a quiet residential area of bungalows, with the majority being for older people. The use of one of the properties as a popular business does not align with the street and wider estate.
- There are plenty of shops and retail units more suitable for this business to operate within which wouldn't affect our residential amenity.
- Planning permission should have been granted in advance of the business being set up.
- Neighbours have endured continuous building works on site and excess traffic and parking for this facility.
- The business generates issues of noise.
- The property is located close to Whitehouse Farm Primary School which adds to the chaos of the estate roads.
- What provisions are in place for medical disposal, such as syringes.

- Concerns are raised that support comments have been received from non-residents of the estate
- .
- Concerns are raised that the aesthetics clinic has devalued our property.
- Drainage and sewerage should be considered.

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

- A prescribing pharmacist with over 20 years of health care experience.
- The business has been created on an appointment basis only. The hours are 9am to 230pm Monday to Friday and Saturday 10am to 4pm. These short days allow balance of home and work life as a mother.
- It is a flexible working set up and is based on how many booking that are made.
- The website does say 9am to 6pm but after 230pm I will just take phone calls and look at emails but no bookings are made before 9am or after 230pm.
- The waste from the clinic is collected by a company and collect on an 8 to 12 week basis and this covers all sharps and contaminated waste. Also recycling is taken to Haverton Hill.
- The drive has space for up to 6 vehicles and all clients are directed to park on the driveway. We also have a large family and close friends who visit so not all the people that come to the house are clients.
- My family has been bullied and harassed to the extent that the police have been contacted on a number of occasions. Cameras have been illegally recording my family over 2 years and I have a young family.
- I create a safe space for my clients and I'm a medical professional and I do everything by the book.
- My husband does run businesses, but they do not require people to come to the home.
- A time gap is put in between clients so that there is no overlap.
- An application is with the Council for a drop kerb.

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

- With regard to the operating hours we are trying to achieve a balance of acceptable vehicle levels. Paragraph 47 of the report sets out the reasoning for the opening hours.
- The hours are similar to other operations in the Borough for hairdressers and nail salons.

- The level of activity is not too dissimilar to that we would see at a typical residential property.
- Regarding waste there is a condition that would need to be complied with.
- It does not appear that any other business operates from this site.
- CIL doesn't apply to this development.
- There is adequate parking for the proposal. A drop crossing is required but as the applicant has outlined, they have applied for one and this will be installed in due course.

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

- It should be noted that this is a retrospective application because a complaint was received following delegated decisions made in relation to the planning approval.
- There are glaring inaccuracies within the report.
- Whitehouse Farm is gridlocked at many times during the day. These issues matter to residents.
- People are parking on the footpath.
- The business has expanded.
- Why haven't we enforced any of the restrictions and will we do so in the future.
- Has this business outgrown the premise and a commercial premise should be sought.
- The conditions should alleviate residents' concerns.
- Can condition 4 be tightened up a bit to include that all the waste from the business be collected from an appropriate business waste collector.
- The website should be made clearer regarding opening hours and arrival time.

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

- We can only consider the matters around this application and not to try and resolve the issues that already exist around Whitehouse Farm.
- There is enough parking for 5 vehicles.
- We have acknowledged that the business has expanded. The proposal was assessed, and it was felt that it was operating on an ancillary basis and an enforcement investigation was carried out and this is why the retrospective application is before members.



- Should the application be approved and the applicant breaches any of the conditions action will be taken.
- The applicant can consider if the business should be located elsewhere.
- The hours and six clients per day are consistent with other similar homeworking operations across the Borough.
- The decision on whether to look at alternative premises is a matter for the client.

A vote took place and the application was approved.

RESOLVED that planning application 24/2109/RET be approved subject to the following conditions and informatives;

#### Approved Plans

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

Plan Reference Number	Date Received
SBC 0001 Site Location Plan	
	03 January 2025

#### 2. Opening Hours / Number of Customers

Notwithstanding the submitted information, the outbuilding to the rear of the property is permitted to operate for the use as a aesthetics business Monday- Friday between the hours of 09:00 - 17:00. No working shall take place on Saturdays, Sundays or Bank Holidays. The number of appointments or clients visiting the site shall be restricted to no more than six appointments per day, with only one client at anyone time during the permitted hours of operation only.

#### Limitation of Use

3. The change of use hereby approved shall be used solely as an aesthetics business (use class sui generis) and for use by the applicant only, with no other commercial use permitted or additional staff members permitted. The outbuilding shall be returned to a use incidental to the main dwelling house when the permitted use ceases or the property is sold.

#### Waste Disposal

4. All commercial waste resulting from the hereby approved use shall be kept secure within the aesthetics clinic and shall remain separate from general household waste. The commercial waste shall be suitably disposed of by an accredited waste disposal management company.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

##### 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.

**23/1111/COU - 9 Portchester Close, Ingleby Barwick, Stockton-on-Tees, TS17 5LQ - Change of use from residential (C3) to mixed use Commercial and Residential to allow for home business**

Consideration was given to a report on planning application 23/1111/COU - 9 Portchester Close, Ingleby Barwick, Stockton-on-Tees, TS17 5LQ - Change of use from residential (C3) to mixed use Commercial and Residential to allow for home business.

The application related to No.9 Portchester Close, which was a substantial two storey detached residential dwelling located within an established residential area of Ingleby Barwick.

Planning permission was sought for the change of use of part of No.9 Portchester Close to be used for the sale of firearms and ammunition. The change of use would allow for a designated reception room to be used as a secured sales area. The rest of the property would remain as a residential dwelling.

Sales of firearms would be by pre-arranged appointment only to persons approved by the Police Licensing Authority, and not to the general public. Customers would have to provide evidence of membership of shooting clubs, or being holders of Firearm or Shotgun Certificates. The business would operate only between the hours of 10:00 to 18:00 Monday to Saturday, with only one customer visiting the property at any one time, and it was anticipated that there would be a maximum of 2-3 customers per day.

The property benefits from secure storage for firearms and ammunition, and the exterior of the host property was covered by security cameras and had a 24 hour a day monitored alarm system. There were no external alterations proposed to the property, and the business would not have any external signage or indication of the type of business which would operate from the premises.

Following the consultation process there had been 52no letters of objection received. The objections related to highway issues including increase in the volume of traffic and off-street parking, public safety, anti-social behaviour/crime, unsuitable location for such a commercial use, and impact on residential amenity by way of noise disturbance and impact on privacy. There had also been 29no letters of support received.

Given the scale of the proposed business, which would operate by pre-arranged appointment only to persons approved by the Police Licensing Authority, and not to the general public, during daytime hours with only one customer visiting at any one time and a maximum of 3 appointments per day, the proposal was not considered to have a significant adverse impact on centre locations.

Due to the measures required to make the business safe, the pre-conceptions and connotations attached to the nature of the business proposed and the vagueness of how the business would operate, had, in the opinion of the Local Planning Authority, caused a heightened sense of fear of crime regarding the proposal which completely undermined the residential character of the area and the perception of safety for the surrounding neighbouring residents, to their detriment. The proposal was not considered to result in a significant impact on highway safety due to the off-street parking provided on the Site.

The proposed development would therefore be contrary to Local Plan Policy SD8(3) and National Planning Policies 96(b) and 135(f) which seek development decisions to achieve safe places which were safe and accessible, so that the fear of crime does not undermine the quality of life or community cohesion.

The application is therefore recommended for refusal.

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

- The alarm system has been accepted by the police.
- There is plenty of parking available.
- I have had a firearm licence for 16 years.
- The police are informed about any sales of firearms, and the paperwork must be checked.
- There strict controls in place and have been approved by Cleveland Police.
- There has been a lot of misinformation spread on social media.
- There are other businesses operating in the area.

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

- There has been another similar application, can officers tell me the outcome of that application and was it for this premises?
- Can this application be deferred and the previous application be retrieved.

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

- Another similar application has not been found on the planning system.

A vote took place and the application was deferred to enable officers check if there are other registered firearms dealers operating from residential properties within the Borough.

RESOLVED that the application be deferred.

## **P/22/25 Planning Compliance Performance - Quarterly Update**

Consideration was given to a report on Planning Compliance Performance - Quarterly Update. This was the latest quarter report (Quarter 1, 2025/26).

The Stockton-on-Tees Local Enforcement Plan (LEP) was approved at planning committee in September 2024 and became 'live' on the 1st November 2024 and this report provided the latest quarterly report.

As part of the LEP, service targets were introduced which were;

- 70% of enforcement case closed where no breach identified within 20 working days.
- 60% of enforcement requests receiving an initial response, for example no breach of control identified or further investigation to be undertaken, within 10 working days.

- 60% of planning enforcement cases, where the case actions are determined within the established priority timescales.

An attachment to the report provided members with a snapshot of the over the last quarter's performance for the planning compliance function. Some narrative and explanation of current performance and trends was also detailed within the report.

Performance against the internal performance standards remained high with the relevant thresholds being exceeded in the majority of cases. Overall 95% of all the number of cases in the last quarter had had case actions determined within the identified priority period.

A table within the report detailed that over the last quarter the number of cases received had increased. However, the overall time to process cases had reduced with a number of cases resulting in enforcement notices being served on six properties with assistance being provided from the Council's Legal Services team.

Alongside the level of caseload, a new staff member had been integrated into the planning compliance team which had involved increased time pressures to provide the associated training. Nevertheless, the processes introduced to both manage and maintain momentum on compliance cases were working well as demonstrated within the performance figures.

Additionally, following the serving of notices in quarter 3 of 24/25, two notices had been fully complied with and the associated breaches of control had been addressed.

For completeness, the total number of unresolved cases equated to 205, with 76 cases being historic cases received before the introduction of the Local Enforcement Plan.

The next quarterly update would be quarter 2 of 2025/26 (July -September), which was anticipated being reported in October 2025.

RESOLVED that the report be noted.

## **P/23/25 Planning Appeal Decisions**

The appeals were noted.

## Planning Committee

A meeting of Planning Committee was held on Wednesday 10th September 2025.

**Present:** Cllr Mick Stoker (Chair), Cllr Michelle Bendelow (Vice-Chair)  
Cllr Carol Clark, Cllr Robert Cook (Sub for Cllr Norma Stephenson OBE), Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Shakeel Hussain, Cllr Eileen Johnson, Cllr Tony Riordan, Cllr Andrew Sherris, Cllr Jim Taylor and Cllr Barry Woodhouse

**Officers:** Elaine Atkinson, Sarah Garvin, Simon Grundy, Martin Parker, Julie Butcher and Sarah Whaley

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

**Apologies:** Cllr Dan Fagan, Cllr Norma Stephenson OBE and Cllr Sylvia Walmsley

### **P/24/25      Evacuation Procedure**

The evacuation procedure was noted.

### **P/25/25      Declarations of Interest**

There were no declarations of interest.

### **P/26/25      Planning Protocol**

The planning protocol was noted.

### **P/27/25      25/0672/FUL Land East Of Durham Lane, Eaglescliffe, Stockton On Tees**

Consideration was given to planning application 25/0672/FUL Land East Of Durham Lane, Eaglescliffe, Stockton On Tees.

This application was a Hybrid planning application which would secure the access and infrastructure works to unlock the site for development. The Full application included the provision of part of an internal estate road and earthworks associated with re-profiling of existing site levels to create the development plateaus along with the associated drainage works, utilities infrastructure and temporary top soil storage.

Once the works were undertaken the site would be marketed for future Developers to come forward and this was the outline aspect for the erection of employment buildings (Use Class E(g)(ii & iii), B2/B8 including ancillary offices Use Class E(g)(i)) and service yard areas, ancillary railway sidings and associated works.

The application site was allocated in the local plan for B2/B8 development and therefore the proposal fully accorded with planning policy. There had been a number of objections which had been considered in full and there were no planning policy reasons to refuse 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 the application be recommended for approval with conditions for the reasons as detailed within the officers report.

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

- This was an outline hybrid planning application which did not include individual buildings.
- The Council was contributing £3million of Indigenous Growth funding to deliver the infrastructure
- The application site was estimated to provide 72000sqm of space with the potential for 1000 employment opportunities.
- Comments which had been submitted by residents were not relevant to this outline planning application, however, should be saved for the future reserved matters application.
- All relevant material planning conditions had been addressed as detailed within the officers report.
- The officers recommendations were supported by the applicant and therefore approval was requested with the 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:

- Concerns were raised around the lack of consultation with residents within the wider area particularly on the eastern side of the application site as well as a lack of engagement with the vulnerable and elderly.
- It was requested that additional noise impact assessments should be carried out.
- There had been insufficient environmental air quality assessments undertaken and further tests were required.
- There had already been several trees decimated on the other side of the road as well as the removal of trees by Network Rail at the side of the recently erected bridge at Eaglescliffe railway station.
- It was felt that Council owned land was not given the same scrutiny as land in other ownership when it came to planning applications.

- Concerns were raised relating to previous approval for the extended rail track and that this should be scrutinised by central government in terms of due diligence which should include all effected residents.
- There was a lack of landscape and drainage plans.
- What would happen to the current wildlife population?
- The proposal was not in keeping with the local area.
- The type of tracks on the rail line would allow for cargo, increasing noise levels as well as light pollution due to nighttime activity on the proposed site.
- There would also be an increase in noise due to the removal of trees.
- There was acres of accessible and advertised land in the borough with transport links which could be considered as an alternative, or was this land proposed because it was owned by Stockton Council?
- There had been objections raised from Teesside International Airport.

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

- The consultation process had been carried out following the statutory requirements which included all adjoining landowners, hence the western side being consulted and not the eastern side. Press advertisements and site notices had also been undertaken.
- There had been initial noise surveys carried out, however there would be additional noise and vibration surveys undertaken at each reserved matters stage and when the quantity, types and position of units were known.
- In terms of tree removal this was carried out by Network Rail and not Stockton Council.
- Teesside International Airport had not objected to the application, however they had asked for some conditions which had been recommended.
- Ecology reports had been submitted, and initial surveys had been undertaken.
- Railway sidings would come at reserved matters stage if required and appropriate licences would have to be secured.
- In terms of concerns relating to air quality there was no national exceedance of air quality, there was however a localised dust issue which could be mitigated against with a Construction Management Plan (CMP).

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

- There was a consensus that residents in the local area to the application site agreed with the speakers who objected with the application.

- Why did Network Rail want rail tracks into the site, and what would the Council do to protect properties that backed onto the proposed site?
- Additional details of what residents would end up with was requested such as noise, working hours etc.
- It was requested that a Tree Preservation Order (TPO) be put on every tree on the proposed site or reasons be given if a tree needed taking down.
- An earth bund and tree planting were requested on the east side of the rail line prior to anything else commencing so something had been established to protect residents.
- It was requested that the height of the temporary soil storage facility be limited.
- Due to the Local Plan currently going through a review questions were raised as to whether the proposed unit uses for the site could be changed.
- This first phase of the application was bringing the site to market.

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

- In terms of working hours this was controlled by a condition, and noise implications would be assessed at each phase and mitigation secured if required.
- The application fully accorded with planning policy in terms of the type of use, however if something was proposed outside of that approved land use a new application would be required.
- It was not practical to put a TPO on every tree however a landscaping condition at each phase had been conditioned.
- There would be a bund on the eastern side which would be on Stockton Councils land not Network Rails.
- It was agreed with the applicant that an additional condition for the requested earth bund and tree planting on the eastern boundary be added as well as a condition to limit the height of the soil storage
- Officers explained that this was phase 1 of the hybrid application and if approved and once all groundworks were complete investors would secure their site, however until that phase was approved this would not happen. Uses would be employment buildings, B2/B8 including ancillary offices Use Class E(g)(i)) and service yard areas, ancillary railway sidings and associated works, however until the site was marketed the mix of type, size and layout would not be known.
- Officers confirmed that the Council were going through a review of the Local Plan, however expectations were that it would be consistent with the current situation although this could not be guaranteed.

A vote then took place and the application was approved.



RESOLVED that

That planning application 25/0672/FUL be approved subject to the following conditions and informatives;

#### CONDITIONS RELEVANT TO THE FULL APPLICATION

##### 1 Time Limit

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

##### 2 Approved Plans

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

Plan Reference Number	Date Received
SBC0001	24 April 2025
SBC0002	24 April 2025
SBC0003	24 April 2025
SBC0004	24 April 2025
7280-055	26 March 2025
7280-060D	2 April 2025
233313-BWB-CIV-XX-DR-C-0501	2 April 2025
233313-BWB-CIV-XX-DR-C-0502	2 April 2025
233313-BWB-CIV-XX-SK-C-0500	2 April 2025
233313-BWB-CIV-XX-DR-C-0601	2 April 2025
7280-056B	2 April 2025
7280-057B	2 April 2025
7280-058D	2 April 2025
7280-059D	2 April 2025

##### 3 Site Levels

Notwithstanding the submitted plans. Other than site preparation works shall not commenced until details of the existing and proposed levels of the site and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

##### 4 Retained Habitat

Notwithstanding the submitted plans, plans shall be updated to show the retained landscaping around the western development plot. Where landscaping is to be removed this shall be replaced in accordance with a scheme to be submitted and approved in writing with the local planning authority. The scheme shall be implemented in full in the first planting season following the completion of the infrastructure works.

##### 5 Ecology and Biodiversity

Works shall be undertaken in accordance with the mitigation and recommendations of the documents;

Ecological Impact Assessment (EclA) Report Ref. ER-7553-05.3 dated 06/02/2025  
Bat Activity Survey Report (Ref ER-7553-04.2 ) dated 06/02/2025  
Climbing Survey (ref: SI-7553-02)

Any works on site that require clearing areas of scrub and vegetation in advance of any proposed development should be completed during the period September to February to avoid any disturbance to breeding birds between 1st March and 31st August.

Where clearance does take place during the bird breeding season, a pre-clearance check of the area should be carried out by a suitability qualified ecologist.

#### 6 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

#### 7 Construction Environmental Management Plan

Other than site preparation works, 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 and ecology. The CEMP shall include measures to effectively control dust emissions from the site works, this shall address earth moving activities, control and treatment of stock piles (the height of which shall not exceed three metres) . It shall also set out arrangements by which the developer shall maintain communication with businesses and residential premises 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.

#### 8 BNG

Prior to the commencement of work an Overall Biodiversity Gain Plan must be submitted to and approved by the planning authority before the development can begin; and thereafter a Phase Biodiversity Gain Plan for each phase must be submitted to and approved by the planning authority before the development of that phase can begin.

#### 9 Means of Enclosure

Prior to installation of any means of enclosure, full details shall be submitted to and approved in writing by the Local Planning Authority.

#### 10 Lighting

Prior to commencement of works, other than site clearances and preparation works, details of the external appearance of all external lighting of roads and, including colour and luminance shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. The lighting shall be installed in accordance with the agreed details and be in place prior to occupation.

#### 11 Construction Traffic Management Plan

Other than site preparation works, prior to the commencement of development, a Construction Traffic Management Plan shall be submitted and agreed in writing with the Local Planning Authority (in consultation with the Highway Authority for the A66) and shall provide details of the routing of all HGVs movements associated with the construction phases, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. Work shall be undertaken in accordance with the agreed details.

12 Maintenance and management of a Sustainable Surface Water Drainage Scheme  
Other than site preparation works, the development hereby approved shall not be commenced on site, until a scheme for 'the 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. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- II. A management plan detailing how surface water runoff from the site will be managed during the construction phase;

#### 13 Drainage: Environment Agency

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

#### 14 Construction/ Demolition Noise

No construction/building works or deliveries 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.

#### 15 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.

#### 16 Bund and Planting to the East (adjacent to railway)

Within three months of the commencement of work on the infrastructure / development platforms, a detailed scheme for the provision of a bund and landscaping scheme in the south eastern part of the site shall be submitted 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 pits in hard surfacing and root barriers.

The scheme must comply with CAST Advice Note 3, 'Wildlife Hazards' available at CAST Advice Note 3 - Wildlife Hazards Around an Aerodrome and also in full accordance with the requirements of Network Rail in relation to planting and drainage. The approved scheme shall be implemented within the first planting season following approval of the bund and landscaping scheme. Any vegetation within a period of 5 years 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. Thereafter no subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority.

## CONDITIONS RELEVANT TO THE OUTLINE APPLICATION

### 1 Reserved Matters - Time Period for submission

Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of 10 years from the date of this permission.

### 2 Period for Commencement

The development hereby permitted shall be begun either before the expiration of 8 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

### 3 Reserved Matters - Details

Notwithstanding the submitted plans, approval of the details of the Appearance, Landscaping, Layout and Scale of the development known as the 'Reserved Matters' shall be obtained in writing from the Local Planning Authority before the development is commenced. The development shall be carried out in accordance with the approved plans

### 4 Approved Plans

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

Plan Reference Number  
7280-055B

Date Received  
2 April 2025

### 5 Ecology and Biodiversity

Works shall be undertaken in accordance with the mitigation and recommendations of the submitted;

Ecological Impact Assessment (EclA) Version 3 dated 06/02/2025  
Bat Activity Survey Report (Ref ER-7553-04.2 ) dated 06/02/2025  
Climbing Survey (ref: SI-7553-02)

Any works on site that require clearing areas of scrub and vegetation in advance of any proposed development should be completed during the period September to February to avoid any disturbance to breeding birds between 1st March and 31st August.

Where clearance does take place during the bird breeding season, a pre-clearance check of the area should be carried out by a suitability qualified ecologist.

## 6 Ecology Survey

If work does not commence on each phase 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

## 7 BNG

Prior to the commencement of work an Overall Biodiversity Gain Plan must be submitted to and approved by the planning authority before the development can begin; and thereafter a Phase Biodiversity Gain Plan for each phase must be submitted to and approved by the planning authority before the development of that phase can begin.

## 8 Habitat Management and Monitoring Plan (HMMP)

Prior to commencement of each phase a Habitat Management Monitoring Plan (HMMP) for that phase shall be prepared in accordance with the approved Phase Biodiversity Gain Plan and shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall include

(a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the practical completion of the development or the first occupation of the development, whichever is the sooner; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority. Monitoring reports should 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.

## 9 Construction Environmental Management Plan

No part of the development of each phase hereby approved shall commence until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP for each phase 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 and ecology. The CEMP shall include measures to effectively control dust emissions from the site works, in accordance with an impact assessment undertaken in accordance with the IAQM guidance, this shall address earth moving activities, control and treatment of stockpiles (which shall not exceed three metres in height) . It shall also set out arrangements by which the developer shall maintain communication with businesses and residential premises 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. The CEMP shall be updated for each phase if appropriate.

#### 10 Construction Traffic Management Plan

Other than site preparation works, prior to the commencement of each phase of development, a Construction Traffic Management Plan for that phase shall be submitted and agreed in writing with the Local Planning Authority (in consultation with the Highway Authority for the A66) and shall provide details of the routing of all HGVs movements associated with the construction phases, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. Work shall be undertaken in accordance with the agreed details.

#### 11 Submission of Landscaping Scheme

Prior to commencement of works on each phase, a soft landscaping scheme shall be submitted as part of any reserved matters application which includes landscaping. Development which includes the eastern boundary shall include planting along the eastern edge of the site adjacent to the railway. The scheme must comply with CAST Advice Note 3, 'Wildlife Hazards' available at CAST Advice Note 3- Wildlife Hazards Around an Aerodrome. These details shall include the species, number and spacing of trees and shrubs. Thereafter no subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

#### 12 Maintenance - Softworks

Prior to occupation of the first unit/building in each phase full details of proposed soft landscape management for that phase shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include maintenance access routes to demonstrate operations can be undertaken from publicly accessible land, long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plan prior to the occupation of each phase of the development.

Any vegetation within a period of 5 years from the date of completion of the total works in that phase 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 Cycle Storage

Prior to the occupation of each building, a scheme for cycle parking, in broad accordance with SPD3 (Parking Provision for New developments) shall be submitted and approved in writing by the local planning authority. The scheme shall be implemented in full and retained for the life of the development.

#### 14 Electric Vehicle Charging

A scheme for the provision of electrical charging points for the charging of electrical motor vehicles, shall be submitted and approved in writing by the local planning authority for each phase of development. The charging points shall be in place prior to the occupation of the building in each phase.

#### 15 Waste Storage

Prior to the occupation of each building/unit, a scheme for secure refuse storage shall be submitted and approved in writing by the local planning authority for each building/unit. The scheme shall be implemented in full and retained for the life of the development.

#### 16 Glint and Glare

No solar photovoltaic panels shall be fixed in place until the developer has completed a "Glint and Glare Assessment" which has been submitted to and approved in writing by the Local Planning Authority. Installation, operation, and maintenance of the solar photovoltaic panels shall thereafter be in accordance with the approved "Glint and Glare Assessment".

The glint and glare study shall also consider the effect the proposal will have on the operation of the adjacent railway particularly in terms of signal sighting and driver distraction. This shall include glint and glare from solar PV as well as glazing and reflective surfaces in adjacent buildings that could distract train drivers and/or obscure and conflict with rail signals. Thereafter, the development shall be completed in accordance with the any recommendations and mitigation in the approved Glint and Glare Assessment.

#### 17 Lighting;

Prior to commencement of works on each phase of development, other than site clearances and preparation works, details of the external appearance of all external lighting, including colour and luminance shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. The lighting shall be installed in accordance with the agreed details and be in place prior to occupation.

#### 18 Means of Enclosure

Prior to installation, details of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority for each phase of development. Such means of enclosure shall be erected before the development hereby approved is occupied. This shall include a suitable trespass proof fence adjacent to Network Rail's boundary (minimum 1.8m high) and make provision for its future renewal and maintenance. Network Rail's existing fencing/wall must not be removed or damaged

#### 19 Vehicle Incursion Measures

Each phase of development shall include a risk assessment to the railway and where appropriate that phase shall include the detailed design and a timetable for the installation of suitable vehicle incursion measures (An Armco or similar barrier). The measures shall be implemented in accordance with the agreed timetable.

#### 20 Energy Efficiency

Prior to the erection of any building in each phase, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority for each phase of development. 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 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.

#### 21 Noise disturbance from New Plant

The rating level of sound emitted from any fixed plant, associated with each phase of the development shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 1-hour LA90 at the nearest residential sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest residential sound sensitive premises). All measurements and/or calculations shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

The rating level of sound emitted from any fixed plant shall not exceed 50 dB in the daytime at The Tees Valley Community Church as presented in Table 4.11 of the BWB noise impact assessment (reference: DLE-BWB-ZZ-XX-T-YA-0001\_NIA), unless agreed with the local authority. All measurements and/or calculations shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where measurements are required, and access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location, to be agreed with the local authority.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

#### 22 Noise

Prior to the erection of any buildings in each phase, a noise assessment, including low frequency noise (where relevant) shall be submitted and approved for each phase and shall include an assessment for:

- The increased use of railway movements to the proposal as well as any loading/unloading or vibration associated with such activities should they be proposed. Vibration levels should not exceed levels detailed in Vibration from Railway condition 24 '
- Noise breakout of the proposed units and yard areas should be assessed assuming a worst case noise scenario for internal noise associated with the planning use classification sought and shall not exceed background levels by more than 5dB(A) during the day 0700-2300hrs or exceed the background level at all during the night 2300- 0700hrs. Where necessary mitigation measures should be proposed and thereafter implemented in accordance with the agreed scheme.
- An assessment should be made to determine the sound level change in the area and how much the proposal will cause an increase on existing LAeq levels. This should be included within the assessment for the full site and railway.
- A BS4142 assessment should be undertaken for noise from any HGV movements and associated loading/unloading.

#### 23 Construction Noise Report

A noise report for construction noise should be undertaken by a noise consultant and should be submitted to and approved in writing by the Local Planning Authority prior to construction work commencing in each phase. As part of the noise report for each phase the existing ambient noise levels at the nearest residential properties should be obtained and the noise levels of each proposed construction activity to be undertaken



in that phase should be calculated to the nearest residential properties. The assessment and impact of the construction noise should be undertaken in accordance with the ABC method and table E.1 of BS5228 where the ambient noise level should be rounded to the nearest 5dB to determine the appropriate threshold value. Suitable mitigation measures should be implemented where the construction noise is predicted to exceed the appropriate threshold value.

#### 24 Vibration from Railway

Prior to the construction of the new railways sidings and the delivery of freight via rail, a vibration impact assessment should be undertaken in accordance with BS6472:2008 'Guide to valuation of human exposure to vibration in buildings' to assess the impact on the nearby residential properties. The levels of vibration should not exceed the values of 'low probability of adverse comment' in Section 6, Table 1. Should these levels be exceeded then mitigation measures will be required to reduce the levels of vibration to within these values. The report and any mitigation measures should be submitted to the Local Planning Authority, approved in writing, and implemented prior to occupation of the development.

#### 25 Paint spraying

No paint spraying shall be carried out except in a properly constructed part of the building to which suitable filtration equipment has been fitted in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.

#### 26 Odour Assessment Report

Prior to the erection of any building within each phase, if odour emitting uses are proposed, a detailed report in accordance with 'IAQM: Guidance on the Assessment of Odour for Planning' shall be submitted and approved by the Local Planning Authority. The assessment should detail odour generating activities/ sources and suitable mitigation/ management measures to reduce the level of odour. Should mitigation measures be proposed these should be retained for the lifetime of the development

#### 27 Contaminated Land Gas Risk Assessment.

Other than site clearance works, no development of each phase approved by this outline planning permission shall take place until a scheme for that phase that includes the following components to deal with the gas identified in site investigation has been submitted and approved, in writing, by the local planning authority: A further gas risk assessment of ground gas for each phase based on the submitted Site Investigation (Northpoint, Ref NP230612, May 2024). It is advised the assessment is a localised assessment and is based on the specific land use and plot. The results of the assessment for each phase referred to above shall be submitted with an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete. The gas risk assessment for any phase shall be carried out in accordance with the Environment Agencies "Land Contamination Risk Management" Guidance (2023) and CIRIA C665: "Assessing Risks Posed by Hazardous Ground Gases to Buildings" with a minimum of at least two sets of readings as low and falling atmospheric pressure, and at least six ground gas-monitoring rounds over a three-month period. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

#### 28 Discharge of Surface Water

Prior to the commencement of each phase a scheme for 'the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme for that phase shall first be submitted to and approved in writing by the Local Planning Authority.

Details must comply with CAST Advice Note 3 'Wildlife Hazards around an Aerodrome'. 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 for each phase;

I. Detailed design of the surface water management system; (for each phase of the development). Including Attenuation times; Profiles & dimensions of water bodies and details of marginal planting

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-

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

### 29 Drainage Masterplan

The development hereby approved shall not be commenced on site, until a suitable Drainage Masterplan for the SuDS scheme for any phase has first been submitted to and approved in writing by the Local Planning Authority.

### 30 Drainage: Environment Agency

No drainage systems for the infiltration of surface water to the ground are permitted for any phase other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

### 31 Discharge of Surface Water

No building(s) in each phase shall be brought into use until:-

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

II. The drawings of all Suds features for that phase 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 for that phase 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

### 32 Submission of a Bird Hazard Management Plan

Development shall not commence on each phase until a Bird Hazard Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of the management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to

nesting, roosting and "loafing" birds. The management plan shall comply with CAST Advice Note 3 'Wildlife Hazards Around Aerodromes'

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building(s). No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

### 33 Construction/ Demolition Noise

No construction/building works or deliveries 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.

### 34 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.

### 35 Use of the Units

The premises hereby permitted shall be used only for general employment uses falling within use classes B2 and B8 Use Class E(g)(ii and iii)) (and ancillary offices )of the Town and Country Planning Act (Use Classes) Order as subsequently amended.

### 36 Photovoltaic cells (Glint & Glare) - PD rights

Notwithstanding the provisions of Part 14 (Renewable energy) no solar panels shall be installed or erected without the prior written approval of the local planning Authority, Any applications shall be accompanied by a Glint and Glare Assessment to assess the aviation and railway impacts of the development. Thereafter development shall be undertaken in accordance with the approved details.

## INFORMATIVES

### 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: Reserved matters

When submitting the application(s) for reserved matters; the reserved matters should include the following details

"access", means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

"scale" means the height, width and length of each building proposed within the development in relation to its surroundings;

"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

#### Informative: Bird Hazard Management Plan

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Teesside International Airport. In some instances it may be necessary to contact Teesside International Airport before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs

#### Informative: Teesside Airport Crane advice:

Due to the site being within 6km of Teesside International Airport the crane operator is required to submit all crane details such as maximum height, operating radius, name and phone number of site manager along with installation and dismantling dates to the CAA Airspace Coordination and Obstacle Management Service (ACOMS) system. For notification, please follow the link via CAA website: Crane notification | Civil Aviation Authority ([caa.co.uk](http://caa.co.uk))

Once crane notification has been received from the CAA, Teesside International Airport safeguarding team will assess and issue the necessary crane permit. No cranes should operate on site until a crane permit has been issued. Specific CAA guidance for crane lighting/markings is given in CAP1096: Guidance to crane users on the crane notification process and obstacle lighting and marking ([caa.co.uk](http://caa.co.uk))

#### Informative: Network Rail Requirements

The Developers attention is drawn to the response from network Rail and their specific requirements in relation to development adjacent to the railway. In particular attention is drawn to Network Rail Standard Drainage Requirements appended to this decision

notice. The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Asset Protection (assetprotectioneastern@networkrail.co.uk) for further information and assistance.

Informative: Northern Powergrid

To ensure the protection of Northern Powergrid Assets, the developer shall have regard to the Health Safety Executive's publication HS(G)47 "Avoiding Danger From Underground Services and GS6 "Avoidance of Danger from Overhead Electric Lines

**P/28/25      24/0977/OUT Little Maltby Farm, Low Lane, High Leven**

Prior to Committee debate the Principal Planning Officer highlighted to Members of the Planning Committee that additional information had been requested from Natural England.

It was explained that to achieve nutrient neutrality the applicant had proposed the purchasing of nutrient credits from a registered third-party credit provider at a site within the Tees Valley catchment area, which had resulted in Natural England requesting additional information before the appropriate assessment could be fully signed off.

As the principle had already been accepted by Natural England it was suggested that Members could consider the application and delegate the final decision to the Planning Services Manager once the appropriate assessment had been fully signed off, or alternatively Members could propose to defer the application until the assessment had been undertaken. The applicant had expressed they would have no issue should a deferral be the preferred approach.

A motion was proposed and seconded that the application be deferred.

A vote took place and the motion was carried.

RESOLVED that application 24/0977/OUT Little Maltby Farm, Low Lane, High Leven be deferred for the reasons as stated above.

**P/29/25      23/1111/COU 9 Portchester Close, Ingleby Barwick, Stockton-on-Tees**

Consideration was given to planning application 23/1111/COU 9 Portchester Close, Ingleby Barwick, Stockton-on-Tees for change of use from residential (C3) to mixed use Commercial and Residential to allow for a home business.

Following the Planning Committee meeting held on 6 August 2025, further searches by Officers had been conducted into other potential registered firearms dealers operating from residential properties within the Borough.

The search identified that there had been no planning applications made to accommodate the sale of firearms or ammunition operating from their home address within the Borough. Applications had been made and accepted in relation to workshops for the manufacture and/or repair of guns on the periphery of the conurbation in the 1990's.

In some cases, pre-application advice had been provided in relation to gun repairs, servicing and sales. In all these instances planning permission was deemed to not be required, as sales were either not taking place at the home address or it was indicated as being limited to a maximum of two visits per week. With the overall level of activity being significantly less than proposed in this application.

Additional comments have been received by the Designing out Crime Officer and the Firearms Licensing Manager within Cleveland Police. Again, their comments did not alter the original recommendation for refusal.

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 refused for the reasons as detailed within the officers report.

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

- Statements made by the applicant in terms of services provided by Cleveland Police were not accurate as confirmed by Cleveland Police who did not support the application.
- It was felt that the supporting statements received for the application were bizarre with some supporters living as far as 12 miles away.
- There had been conflicting information relating to parking spaces at the proposed site.
- Traffic concerns were raised due to 2 businesses already operating close to the proposed application which exacerbated parking on the road and kerbs causing safeguarding issues for pedestrians.
- The proposed application was in a residential area which was not appropriate for a firearms business. The business would be advertised, and people would know that there would be firearms at the property.
- This was normalising gun use.

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

- There was confusion over where the business sale and transaction would take place of the firearms.

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

- Officers understood that the transaction and processing of the business sale including the witnessing of the relevant licences of the purchaser would take place at the application site Portchester Place. The order would be placed and delivered to Portchester Place and then the customer would collect the firearm from there.

A vote took place and the application was refused.

RESOLVED that Planning application 23/1111/COU be Refused for the following reason(s):

**1.Character**

In the opinion of the Local Planning Authority, the proposed change of use would introduce a commercial use which is considered to be fundamentally at odds with the established residential character of the area due to the heightened fear of crime associated with the development. In addition, the introduction of a retail business for the sale of firearms and the associated security infrastructure required for the business is considered to erode the residential character of the area. It is considered that this would result in a discordant and inappropriate use that fails to respect the prevailing pattern of development. The proposal is therefore contrary to Policy SD8 of the Stockton-on-Tees Local Plan and paragraphs 96(b) and 135(f) of the NPPF which seeks to ensure that development decisions to achieve safe places which are safe and accessible, so that the fear of crime does not undermine the quality of life or community cohesion.

**2. Impact on the amenity of surrounding residents**

In the opinion of the Local Planning Authority, the proposed development is considered to introduce a use which would erode the perception of safety and is therefore detrimental to the amenity of the surrounding residents. The proposed use is therefore inappropriate in a residential context and would be contrary to Policy SD8 of the Stockton-on-Tees Local Plan and paragraphs 96(b) and 135(f) of the NPPF, which seeks to ensure that development decisions to achieve safe places which are safe and accessible, so that the fear of crime does not undermine the quality of life or community cohesion.

**P/30/25      25/1665/LA Sponsored Roundabout Junction Council of Europe Boulevard, University Boulevard, Thornaby**

Consideration was given to planning application 25/1665/LA Sponsored Roundabout Junction Council of Europe Boulevard, University Boulevard, Thornaby.

Planning permission was sought for the erection of a brick plinth with a smooth concrete top to be used as a base for the siting of the "Coffee Pot" steam locomotive, currently in storage at Preston Park Museum. This was to be sited in the centre of the sponsored roundabout on the junction of Council of Europe Boulevard and University Boulevard, Thornaby.

In accordance with the Council's scheme of delegation, the application was to be determined by Planning Committee as it fell outside of the types of "minor" Council development that could be determined under delegated powers.

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 considerations detailed within the main report, there was strong compliance with planning policies and the proposals would result in a positive contribution to the overall street scene. Consequently, it is recommended that the application be approved with conditions for the reasons specified in the report.

Members welcomed the application which would be a good attraction within the Borough.

A vote took place and the application was approved.

RESOLVED that planning application 25/1665/LA Sponsored Roundabout Junction Council of Europe Boulevard, University Boulevard, Thornaby be approved subject to the following conditions and informative;

**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
25122-HL-ZZ-ZZ-DR-A-1600-S4-P03	11 August 2025
25122-HL-ZZ-ZZ-DR-A-2100-S4-P04	11 August 2025
SBC0001	7 August 2025

**INFORMATIVE OF REASON FOR PLANNING APPROVAL**

**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/31/25 Appeals**

The appeals were noted.



**DELEGATED****Report to Planning Committee****5 November 2025****Report of Director of Inclusive Growth and Development****24/0977/OUT****Little Maltby Farm, Low Lane, High Leven****Expiry Date: 9 September 2024****Extension of Time Date: 7 November 2025****Summary**

Outline Planning permission, with all matters reserved except access is sought for the erection of a convenience foodstore and a parade of 4no convenience facilities (Use Class E) and associated outdoor terrace area. Erection of retirement living apartments (use class C3) or residential care accommodation (use class C2) of approx. 60 bed spaces. Erection of 4no self build residential plots (Use Class C3). Highway access to/from the A1104 Low Lane via Welwyn Road and Melandra Road connecting to northeast boundary, with associated landscaping, open space and associated works.. Since the original scheme submitted, the 40 apartments have been removed

The principle of a local centre has previously been accepted on the wider site and the site is allocated for Housing in the Local Plan. The development has attached a number of objections which have been considered in full and there are no planning reasons to refuse the development.

The proposal is considered to be acceptable in planning terms in all other regards and is recommended for approval subject to those conditions detailed within the report.

**Recommendation(s)**

That planning application 24/0977/OUT be approved subject to the following conditions and informatives;

**01 Reserved Matters - Time Period for submission**

Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

**02 Period for Commencement**

The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

**03 Reserved Matters – Details**

Notwithstanding the submitted plans, approval of the details of the Appearance, Landscaping, Layout and Scale of the development known as the 'Reserved Matters' shall

be obtained in writing from the Local Planning Authority before the development is commenced. The development shall be carried out in accordance with the approved plans

Reason: To reserve the rights of the Local Planning Authority with regard to these matters

**04     Approved Plans**

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

Plan Reference Number	Date Received
P19-2015_Figure 3.3	11 August 2025
230040-3DR-ZZ-00-DR-A-080001-P04	14 July 2025

Reason: To define the consent.

**05     Scope**

The development shall be implemented in general conformity with the approved Illustrative Masterplan submitted with the planning application.

Reason: To ensure that the Reserved Matters for the appearance, layout and scale of the buildings and landscaping to be submitted are in accordance with the master plan on which the development has been considered and to enable the Local Planning Authority to satisfactorily control the development.

**06     Control over extent of convenience shop;**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, the convenience store hereby approved shall not exceed a net retail sales area of 280sqm.

Reason: To define the extent of the retail unit to ensure that its scale remain appropriate within the development of a local centre and accord with Sunday Trading Laws .

**07     Existing and Proposed Site levels;**

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

Reason: To define the consent and to ensure that the development does not adversely impact on the visual amenities of the area

**08     Accessible and adaptable homes**

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

Reason: In the interests of promoting accessible and adaptable homes.

**09     Sustainable Surface Water Drainage Scheme**

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

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

- I. Detailed design of the surface water management system; (for each phase of the development).
- II. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- III. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- IV. Details of adoption responsibilities

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the Local Plan Policies SD5 & ENV4 and the National Planning Policy Framework.

## **10 Flood Risk Assessment and Drainage Strategy**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy Revision D dated 08th August 2025 and the following mitigation measures detailed within the FRA;

- Discharge to the watercourse restricted to 6.7l/s
- 546m3 of storage to be provided.

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.

Reason: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

## **11 Discharge of Surface Water: pre-occupation**

The buildings 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

Reason: To reduce flood risk and ensure satisfactory long-term maintenance are in place for the lifetime of the development.

## **12 Foul Drainage**

Development shall not commence on each phase until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

### **13; Archaeology**

No development shall commence until a programme of archaeological work for each phase including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

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

B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

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

Reason: To ensure the archaeological interest of the site is fully investigated and recorded where necessary

### **14 Ecology and Biodiversity**

Works shall be undertaken in accordance with the recommendations as detailed in the submitted June 2025. Any works on site that require clearing areas of scrub and vegetation in advance of any proposed development should be completed during the period September to February to avoid any disturbance to breeding birds between 1st March and 31st August. Where clearance does take place during the bird breeding season, a pre-clearance check of the area should be carried out by a suitability qualified ecologist.

Reason: To conserve protected species and their habitat where necessary

### **15 Ecology Survey**

If work does not commence on each phase 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

Reason: To conserve protected species and their habitat where necessary

### **16 Nitrate Mitigation**

Other than the local centre, 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 in Accordance with the submitted Option Agreement.

Reason: To ensure that the proposed development does not adversely impact on the Teesmouth and Cleveland Coast Special Protection Area through increased nutrient pollution.

#### **17 BNG**

Prior to the commencement of work a Biodiversity Gain Plan, must be submitted to and approved by the planning authority before the development can begin; and thereafter a Biodiversity Gain Plan for each reserved matter in relation to layout must be submitted to and approved by the planning authority before the development of that phase can begin and ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development

Reason: In the interests of ensuring measurable net gains to biodiversity and allow the LPA to discharge its duties under the NPPF (2023)

#### **18 Biodiversity Management and Monitoring Plan**

No development shall commence until a Biodiversity Management and Monitoring Plan 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.

Reason: In the interests of ensuring measurable net gains to biodiversity and allow the LPA to discharge its duties under the NPPF (2023)

#### **19 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 for each phase. 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 (in broad accordance with the Revised Air Quality Assessment June 2025), land contamination and ecology. The CEMP shall include measures to effectively control dust emissions from the site works, in accordance with an impact assessment undertaken in accordance with the IAQM guidance, this shall address earth moving activities, control and treatment of stockpiles. It shall also set out arrangements by which the developer shall maintain communication with businesses and residential premises 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.

Reason: In the interests of protecting the environment.

#### **20 Construction Traffic Management Plan**

Other than site preparation works, prior to the commencement of development, a Construction Traffic Management Plan shall be submitted and agreed in writing with the Local Planning Authority for each phase and shall provide details of the routing of all HGVs movements associated with the construction phases, parking for use during construction and

measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. Work shall be undertaken in accordance with the agreed details.

Reason: To ensure the impact of the development is sufficiently controlled and to mitigate any adverse impact from the development

## **21 Servicing Plan**

Notwithstanding the submitted Servicing Plan, final details of servicing arrangements for the commercial units shall be submitted to and approved in writing by the Local Planning Authority, prior to first use of any of the commercial units. The Servicing Plan shall include details of deliveries, refuse collection, and measures to mitigate noise arising from, and not limited to, vehicle movements. The development thereafter shall be operated in accordance with the approved Servicing Plan.

Reason: In the interests of highway safety and residential amenity

## **22 Preliminary Risk Assessment**

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

A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.

- A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water and land pollution.

## **23 Cycle Storage**

Prior to the occupation of each building/block, a scheme for cycle parking, in broad accordance with SPD3 (Parking Provision for New developments) shall be submitted and approved in writing by the local planning authority. The scheme shall be implemented in full and retained for the life of the development.

Reason: in the interests of providing sustainable travel options for the site.

## **24 Electric Vehicle Charging**



Notwithstanding the submitted details, a scheme for the provision of electrical charging points for the charging of electrical motor vehicles, shall be submitted and approved in writing by the local planning authority. The charging points shall be in place prior to the occupation of the buildings.

Reason:-to ensure a satisfactory form of development

## **25 Waste Storage**

Prior to the occupation of each building/unit, a scheme for secure refuse storage shall be submitted and approved in writing by the local planning authority. The scheme shall be implemented in full and retained for the life of the development.

Reason: To ensure a satisfactory form of development.

## **26 Lighting;**

Prior to commencement of works on each phase, other than site clearances and preparation works, details of the external appearance of all external lighting, including colour and luminance shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. The lighting shall be installed in accordance with the agreed details and be in place prior to occupation.

Reason: To avoid light pollution in the interests of the visual amenities of the area

## **27 Means of Enclosure**

Prior to installation, details of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

Reason: In the interests of the visual amenities of the locality

## **28 Energy Efficiency**

Prior to the erection of any buildings, other than the individual dwellings, 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 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.

Reason: Reason: In the interests of promoting sustainable development in accordance with the requirements of Local Plan Policies ENV1 and ENV3.

## **29 Noise disturbance from New Plant Air Conditioning/ /Odour control**

Prior to the installation of any air conditioning units/ plant equipment / means of mechanical ventilation and/or a ventilation and fume extraction system in the car facility or local centre, full details shall first be submitted to and be agreed in writing by the Local planning Authority. Such details shall including a full technical specification by a suitably qualified technical professional person, details of the position of any A/C unit, plant and/or ventilation, fume or

flue outlet points and the type of filtration or other odour treatment which shall be installed and used at the premises. Thereafter the equipment shall be installed in accordance with the agreed details prior to the development being brought into use and shall be maintained in accordance with the manufacturer's recommendations, including the frequency of replacement of any filters, for the lifetime of the development.

The rating level of sound emitted from [any fixed plant and/or machinery associated with the development] [industrial activities at the use hereby approved] shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 1 hour LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority. Reason: In the interest of protecting future occupiers' amenity in accordance with local plan policy SD8 and the NPPF

Reason: To protect the amenities of nearby residents.

### **30 Construction Noise**

No construction/building works or deliveries 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.

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

### **31 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.

Reason: To ensure any unknown contaminative features encountered during the development are investigated and remediated to an acceptable standard.

### **32 Use of the Units**

The premises in the local centre hereby permitted shall be used only for uses falling within use class E (a, b, c, d, e and f) of the Town and Country Planning Act (Use Classes) Order as subsequently amended and only one unit shall be operated as a E(b) use.

Reason: To define the consent and in the interests of securing the development to meet the local needs.

### **33 Hot food takeaways and fast food outlets**



The buildings hereby approved shall not be occupied by hot food takeaways and/or fast food outlets.

Reason: In the interests of health and wellbeing in accordance with the NPPF.

### **34 No subdivision/ Amalgamation**

The premises shall not be sub-divided or combined into independent units without the prior written consent of Local Planning Authority and shall therefore be retained as such notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order).

Reason: To define the consent and in the interests of securing the development to meet the local needs.

### **35 Hours of Operation**

The hereby approved units shall not operate outside the hours of 7.00 - 23.00 Monday to Saturday and 10.00 – 16.00 Sundays or Bank holidays ((except for any unit operating under Use Class E(b))

Any units operating under a Class E(b) use the hours shall be restricted to 7.00 to 22.00hrs Monday to Saturday and 09.00 – 19.00 on Sundays/Bank Holidays

The outdoor food and beverage terrace shall only be used between the hours of 9.00 – 18:00hrs Monday – Saturday and on Sundays/Bank Holidays

Reason: In the interests of the amenity of the future neighbouring residential premises.

### **36 Deliveries**

No deliveries shall be taken at or dispatched from the site outside the hours of 09:00Hrs and 18:00Hrs Monday - Saturday with no deliveries Sundays or Bank Holidays.

Reason: To adequately control the level of activity from the premises in the interests of protecting the residents amenity.

## **Informatives:**

### **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: Reserved matters**

When submitting the application(s) for reserved matters; the reserved matters should include the following details

"access", means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture; "scale" means the height, width and length of each building proposed within the development in relation to its surroundings;

"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

### **Informative Use Class E. Definition**

Commercial, Business and Service Use, or part use, for all or any of the following purposes—

- (a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public,
- (b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,
- (c) for the provision of the following kinds of services principally to visiting members of the public— (i) financial services, (ii) professional services (other than health or medical services), or (iii) any other services which it is appropriate to provide in a commercial, business or service locality,
- (d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms or use as a swimming pool or skating rink, principally to visiting members of the public,
- (e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,
- (f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,
- (g) for— (i) an office to carry out any operational or administrative functions, (ii) the research and development of products or processes, or (iii) any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

### **Background**

1. The site is allocated in the local plan as a housing commitment. The area identified as IB3 is for 1,155 dwellings and IB7, the adjacent site is for 66 dwellings giving a total of 1221 across the Low Lane site. There is an approval on land not within the allocation for 9 dwellings.
2. The site has previously benefited from planning permissions for a total of 970 dwellings and a local centre up to 2500m<sup>2</sup>, albeit this scheme was not implemented.

### **Site and Surroundings**

3. The application site is the southern end of Ingleby Barwick. The site is accessed from Low Lane via Welwyn Road to the west and Melandra Road to the south.

4. To the north of the site is an area allocated for open space and to the west is Ingleby Manor Free School.
5. Newly Built residential properties are located to the south and further developments are ongoing to the north east. To the immediate east of the site is Little Maltby Farm (a grade 2 listed building) and The Haybarn which was 05/0155

## Proposal

6. Outline Planning Application (with all matters reserved except access) is sought for
  - A convenience food store and a parade of 4no convenience facilities (Use Class E) and associated outdoor terrace area. The supporting information states that the local centre is proposed at the heart of the Low Lane/ Ingleby Manor development area. This will provide for day to day convenience shopping needs of residents and school students. The local centre is proposed to be located directly along Welwyn Road with an additional pedestrian and vehicular access from Melandra Road.
  - Erection of retirement living apartments (use class C3) or residential care accommodation (use class C2) of approx. 60 bed spaces. The care home / retirement living for people who require extra care and want to remain in the area of Ingleby Barwick.
  - Erection of upto 4no self build residential plots (Use Class C3).
7. The original proposal included 40 apartments, but this has been removed from the scheme

## Consultations

8. Consultees were notified and the following comments were received.
9. Highways Transport & Design Manager  
The proposals are outline with all matters reserved except for access therefore the comments provided only relate to the traffic impact and access arrangements of the proposals as the internal layout and car parking provision will be considered at reserved matters should this application be approved. The applicant has submitted a Transport Statement (TS) and a Proposed Masterplan (Drwg No. 230040-3DR-ZZ-00-DR-A-070005 Rev P12) in support of the proposals.

Traffic Impact: As set out in the TS the site has previously benefited from planning permissions for a total of 970 dwellings and a local centre up to 2500m<sup>2</sup>. The TS also demonstrates that, based on the current proposed level of housing on the site, which is circa 854 dwellings, the traffic associated with the current proposals would fall within the level previously agreed and accepted. Taking the above into account it cannot be demonstrated within the context of the NPPF that the residual cumulative impacts on the road network of the proposals would be severe. Therefore, a highways objection cannot be raised in relation to the impact of the proposals on the local road network.

Access Arrangements: Tracking drawings have been provided for the proposed site access, taken from Welwyn Road, which will potentially serve a car park and service yard however, as set out above the internal layout of the development is not being considered at this stage.

The tracking drawings have demonstrated that it is possible to provide an access from Welwyn Road which allows for sufficient space and intervisibility between vehicles to

avoid a conflict between a delivery vehicle and a visitor to the development which is considered to be acceptable.

The two proposed simple T junctions taken from Melandra Road to serve the development are also acceptable. Therefore, subject to a construction traffic management plan being secured by condition there are no highways objections to the proposals.

10. Flood Risk Management

The applicant has provided sufficient information to satisfy the Local Lead Flood Authority that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. However the applicant has not provided a detailed design for the management of surface water runoff from the proposed development and this information should be secured by condition.

11. Environmental Health Unit

I have checked the documentation provided, have found no grounds to object to the principle of this development however, I would make some additional comments for recommendations should this application be successful.

Contaminated Land: I have read the Phase 1 Desk Study ref EMS3627 DS dated 2012 and although I agree with the conclusions and recommendations to complete further investigation, as they may have been at that time, It is my professional opinion that this report needs to be updated and checked to ensure nothing further has changed since the initial site walk over was carried out over 12 years ago.

Noise Assessment: I have read and understood the Noise Assessment Report reference: NJD24-0027-002R and I am in full agreement of their overall assessment process and their recommendations, however, SBC would usually like the initial monitoring period to be over a 7days period rather than just the 24 hours as in the report, and my recommendation would be to ensure their mitigation measures are put in place and that the expected outcomes are demonstrated through a validation report which should be completed and agreed prior to any residential premises being occupied. As for the commercial premises, I would be recommending restrictions be put in place for operating hours and delivery hours until the individual unit's use is identified, at this stage I would be recommending operating hours 07:00-23:00 Monday - Saturday 10:00- 16:00 Sundays with delivery times between 09:00- 18:00 Monday - Saturday with no deliveries Sundays or Bank Holiday Mondays.

Air Quality Assessment: I have read and understood the Air Assessment Report reference: Report Reference: NJD24-0027-001R and I am in full agreement of their overall assessment process and their recommendations, however, I would like to see further considerations to dust and particulates during the construction phase being addressed within a Construction Management Plan, where stockpile heights, wheel wash facilities and continuous dust monitoring are controlled and undertaken to ensure this doesn't affect the residential properties in the vicinity.

12. Natural England

No Objection - Subject To Appropriate Mitigation Being Secured

We consider that without appropriate mitigation the application would have an adverse effect on the integrity of Teesmouth & Cleveland Coast Special Protection Area and Ramsar Site - <https://designatedsites.naturalengland.org.uk/>

damage or destroy the interest features for which Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified. In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required: Full payment for the allocated credits from Thoroughway Limited

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures

13. Cleveland Police

With regards to your recent outline planning application 24/0977/OUT for Convenience Facilities, Retirement/Care Facilities & Residential at Little Maltby Farm, High Leven. Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED). I would like to make you aware that Cleveland Police operate the "Secured by Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.

Should permission be granted, I recommend applicant actively seek Secured by Design accreditation; full information is available within the SBD Residential and Non-Residential Guides 2025 Guide at [www.securedbydesign.com](http://www.securedbydesign.com). I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

The Secured by Design Residential Guide highlights that the concepts and approach adopted within this guide can be used to influence strategic planning policies, in support of Paragraph 102a of the NPPF.

The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience". Stockton-on-Tees Borough Council Local Plan, Policy SD8 includes the following... All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

Supplementary Planning Guide, Local Design Guide Section 3.6 and Sustainable Design Guide Section 4.9 also refer to Security & Safety. Another material consideration is Section 17 of The Crime and Disorder Act 1998. Further information on the Secured By design initiative can be found on [www.securedbydesign.com](http://www.securedbydesign.com) Although not an SBD requirement, Stockton along with many other areas nationwide suffers from occurrences of metal theft. These include copper piping, boilers, cables, and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products. Strong consideration should also be given in relation to the provision of On-Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist.

In addition to the above and having viewed the proposal I would also add the following comments and recommendations; again, should permission be granted.



Residential: All doors and windows are recommended to be tested and certified PAS24:2022/2016 standards (or equivalent) This includes garage doors. These must be dual certified for both fire and security.

With regards to the proposed retirement/care building, all communal doors are recommended to be accredited LPS1175: A1 standards, (or equivalent) as a minimum. Any door entry/access control systems should form part of the overall scope of testing as a door-set in its entirety. Fire doors should be devoid of external furniture and be suitably alarmed.

Compartmentation within this element of the proposal is also a prime consideration together with CCTV installation. Dusk to dawn lights are recommended to each elevation with an external door-set. This also includes any proposed garage doors and side in curtilage parking areas, particularly those that are 50% or more of the length of side elevation of plot it serves. .

ALL roadways' pathways and parking areas, adopted or otherwise, are recommended to be to BS5489-1:2020 standards with a uniformity preferably to Secured by Design recommended one of 40%, as a minimum 25%.

Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates. Excessive permeability should be eliminated. All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height. Those to rear/rear side of Plots backing onto open space recommended to be increased to minimum of 2.2m preferably 2.4m. Defensive planting to external façade of boundary treatments backing onto open space should be considered also. Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses. Boundary treatments between rear gardens are recommended to be 1.8m in height. When these rear side treatments are proposed to be lower-level post and rail, this option offers neither security or privacy and I would recommend against it. Defensible space to each plot is an important consideration.

Ginnel access serving several rear gardens should be avoided where possible. If they are deemed necessary, a lockable gate is required at initial access point as well as each individual garden. Any proposed PROW, informal pathways, cycle lanes etc. are to be incorporated into active street frontages to avoid creating potential crime generators. This is not the proposal in this instance, and I would strongly recommend against the existing PROW running to the rear of the proposed developments, this could become a crime generator and in fact design in opportunities for crime and ASB to occur. Any proposed links to existing or future phases of development are to be afforded maximum surveillance, be formalised and be fronted onto.

Vehicles should either be parked in locked garages or on a hard standing within the dwelling boundary. Where communal parking areas are necessary, bays shall be sited in small groups, close and adjacent to homes, be within view of active rooms and clearly marked, so that it is obvious which parking spaces belong to which dwellings.

The word 'active' in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court. Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms. Rear parking courtyards are discouraged for the following reasons:

They introduce access to rear elevations, which may leave dwellings vulnerable to burglary. In private developments, such areas are open and unlit and therefore increase the fear of crime. Ungated courtyards provide areas of concealment which can encourage anti-social behaviour.

Where rear parking courtyards are considered absolutely necessary, they must be protected by a gate, the design of which shall be discussed with the DOCO at the earliest possible opportunity. Where gardens abut the parking area an appropriate

boundary treatment should be discussed and agreed by the DOCO. Again, the above lighting specification standards apply.

Convenience/Retail - All doors, ground floor and easily accessible windows and proposed roller shutters to the units are recommended to be tested and accredited LPS1175:A1 (or equivalent) rating as a minimum. Fire doors are recommended to be devoid of external furniture. The parking areas and pathways are recommended to be column lit to BS5489-1:2020 standards with a minimum uniformity of 25%. It is recommended to have alarm provision provided.

CCTV provision is recommended within proposal. A suitable 2.4m boundary treatment, including gates is recommended to protect rear delivery area. This should be of either a weldmesh or expanded metal type. Careful consideration should be given in relation to the types of retail premises and hours of operation to minimise opportunities for ASB to occur, the proximity of the supported living development is a strong consideration in this as some retail outlets can attract higher levels of ASB.

14. Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however 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.

15. Northumbrian Water Limited

The proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records.

Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>. At this time the planning application does not provide sufficient detail with regards to the management of foul water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We therefore request a condition and informative.

16. Tees Archaeology

Thank you for the consultation on this application. We note the submission of a 'geophysical survey' however, not only are the figures missing but the report does not actually examine the proposed development site. We note that the planning statement references the archaeological condition (condition 18) placed on outline application 12/2517/OUT. This condition states: 'No development shall take place in any particular phase of the development until a programme of archaeological work for the phase concerned, including a written scheme of investigation, and a timetable, has been submitted to and approved in writing by the local planning authority. The archaeological work shall be carried out in accordance with the approved details.' As far as we are aware, the phase of development that was proposed for the plot of land covered by this current outline application has not taken place, and the archaeological condition on 12/2517/OUT remains valid. As well as the geophysical survey on the site

in question (Event 948), a number of archaeological investigations have been carried out around the proposed development site, all of which demonstrate the high potential of the area. A Bronze Age cremation (HER 4028) was uncovered less than 20m from the south-west corner of the proposed development site, while an Iron Age/Romano-British boundary ditch (HER 8692) was recorded c. 45m to the south. Roughly 100m to the south-west of the proposed development site, numerous prehistoric and Romano-British finds (HERs 4027, 8832, 8904, 9607, and 9608), including a settlement and Bronze Age Barrow, have been recorded. Just over 110m to the north-west of the proposed development site, an Iron Age enclosure was recorded during archaeological works, along with additional prehistoric remains including some dating to the Neolithic period (HERs 9493 & 9627)

Aerial imagery shows that there has been vehicle movement on the site over the years and LiDAR imagery indicates that there are spoil heaps/mounds on the proposed development site. Despite the use of the site for spoil heaps and storage, it is considered that there is still the potential for archaeological remains to be present on site. We can only confirm the presence or absence of archaeological remains through field evaluation, and request that trial trenching of the site is carried out. However, the requested trial trenching will need to be undertaken once these have been reduced down to ground level under the supervision of an archaeologist. As this is an outline application, we are willing to secure the evaluation works with an appropriately worded condition; any further mitigation works can then be covered by the reserved matters applications.

17. Chief Fire Officer (Cleveland Fire Brigade)

Cleveland Fire Brigade offers the following representations regarding the development as proposed. The dead-end access routes to the proposed care home exceed 20m, therefore turning facilities should be provided in line with ADB Vol 2 para 15.10 and diagram 15.3. The dead-end access route to the proposed Local centre via Melandra Road exceeds 20m, therefore turning facilities should be provided in line with ADB Vol 2 para 15.10 and diagram 15.3.

Access and Water Supplies should meet the requirements as set out in Approved Document B Volume 2 :2019, Section B5 for buildings other than Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2. Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 2 Section B5 Table 15.2.

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.

18. SBC Place Development Manager

Thank you for consulting with Place development on this application . The application seeks outline consent with all matters reserved except access, for convenience facilities including a food store; as well as residential care accommodation and 4 self-build plots. The comments provided are aimed to guide positive developments and we are happy to discuss the nature of our comments with the applicant. The Stockton-on-Tees Local Design Guide was adopted in March 2023 and presents an 'design process' to ensure the design response of a proposal has been robustly considered.



This process begins with a contextual analysis and site appraisal which are utilised to develop a strategic framework plan for a site. From this proposals can be developed and refined. The Local Design Guide can be viewed at Supplementary planning documents - Stockton-on-Tees Borough Council. Should the application move forward to detailed design, the following comments are provided to shape development and ensure positive outcomes:

The built form, scale, massing and materiality should be carefully considered to integrate the local centre and retirement facility into the residential setting.

The use of landscaping will soften the scheme into the setting further. It is noted that a design and access statement has been provided and establishes high level principles are addressed. It is recommended that the design and access statement is developed into the detailed stage to ensure high quality scheme is achieved, taking into account the Local Design Guide SPD.

The detailed design of the development should ensure an "outward facing" development, providing active frontages onto the surrounding streets, green spaces, and pedestrian routes.

The detailed design of development and the open space need to be considered as one comprehensive proposal.

## Publicity

19. Neighbours were notified and 35 letters of objection were received from the addresses detailed below with the main objections summarised below. The full details of the objections can be viewed online at <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

- Loss of green open space will reduce the amenity value to the local community.
- Advised when purchasing this would always be open space
- The bridleway is popular with dog walkers, nature etc and this land would be affected by overuse of the public.
- The creation of retail units is not necessary given the sites proximity to other facilities
- The additional traffic created is likely to be detrimental to the area
- The proposal will create even more traffic and congestion adding to the school traffic.
- Insufficient Car Parking
- Melandra Road Unsuitable for on street parking or primary access route
- Access unsuitable for emergency services
- The retail units will lead to an increase in littering
- The change in location does not benefit local residents and instead, looks to capitalise on children spending money whilst going to and leaving school, which in itself, poses moral/ethical questions
- No requirement for apartments or nursing home
- The current plans show that the Public Bridleway will no longer be a suitable path but a road
- where are local horse riders to go?
- I could not see any lighting or landscaping proposals with the submission, soft landscaping to offset the parking areas and lighting positioning and timing would be a concern for Melandra Road residents and needs to be considered.
- Ingleby Barwick is not in need of more apartments. The council seems fixated on the younger generation but no thought is being put into the older generation. Ingleby Barwick has an aging population. Due to lack of appropriate housing for

older people residents are remaining in their larger homes. The council should be backing schemes to build bungalows or retirement communities in the area.

- Limited School Places and Lack of Services
- Loss of Privacy, overlooking and Over shadowing
- Anti social behaviour.
- The noise assessment was flawed
- The proximity of class E outlets which will include fast food / takeaway is too close to the school,
- The retail units will to an increase in littering
- No retail impact assessment has been submitted as required under NPPF §90, safeguarding concerns, including increased footfall from non-residents, loitering, and potential exposure to age-inappropriate interactions Limited School Places
- Planning Precedent - Wynyard Refusal
- a major application was refused on grounds of cumulative harm to local amenity and infrastructure, setting a relevant precedent
- Devaluation
- Lack of Consultation
- Impact on Wildlife

### **National Planning Policy Framework**

20. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
21. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

### **22. National Planning Policy Framework**

The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

## 23. Local Planning Policy

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

### Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

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

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

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

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

### Strategic Development Strategy Policy 2 (SD2) - Strategic Development Needs

1. The following strategic growth needs have been identified for the period 2017/18 to 2031/32, which will be met through new sustainable development and infrastructure provision that integrates positively with the natural, built and historic environment of the Borough.

#### Housing

2. To meet the housing requirement of 10,150 new homes over the plan period a minimum of:

- a. 720 dwellings (net) will be delivered per annum from 2017/18 to 2021/22.
- b. 655 dwellings (net) will be delivered per annum from 2022/23 to 2031/32.

3. The Strategic Housing Market Assessment for Stockton-on-Tees Borough identifies that there are specific needs with regard to housing type and tenure. This includes delivering homes to meet the needs of the ageing population.

#### Other Development Needs

7. Where other needs are identified, new developments will be encouraged to meet that need in the most sustainable locations having regard to relevant policies within the Local Plan.

### Strategic Development Strategy Policy 3 (SD3) - Housing Strategy

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land. Should it become apparent that a five year supply of deliverable housing land cannot be identified at any point within the plan period, or delivery is consistently falling below the housing requirement, the Council will work with landowners, the development industry and relevant stakeholders and take appropriate action in seeking to address any shortfall.

2. The following are priorities for the Council:

- a. Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision; this includes the provision of housing to meet the needs of the ageing population and those with specific needs.
- b. Providing accommodation that is affordable.
- c. Providing opportunities for custom, self-build and small and medium sized house builders.
3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through:
  - a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (as identified on the Policies Map) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include: Queens Park North, Victoria Estate, Tees Marshalling Yard and Land off Grange Road
  - b. Supporting residential development on sites within the conurbation as defined by the limits to development which comprises the main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm.
  - c. Creating a Sustainable Urban Extension to West Stockton.
  - d. Promoting major new residential development at Wynyard leading to the area becoming a sustainable settlement containing general market housing and areas of executive housing in a high-quality environment.
  - e. Supporting residential development in villages (as shown on the Policies Map) through the recognition of existing commitments and new build within the limits to development where the land is not allocated for another purpose.

#### Strategic Development Strategy Policy 4 (SD4) - Economic Growth Strategy

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

2. Proposals for the redevelopment of previously developed land, in particular prominent sites which have been derelict for a significant period of time, will be supported.

#### Town Centres

10. Stockton Primary Shopping Frontage will be the main location for new retail development to 2032, whilst the wider town centre will be the main location for new leisure and evening economy uses.

11. Proposals for new town centre uses will be directed to suitable and available sites and premises in the centres within the following Town Centres Hierarchy:

12. The following locations are designated as Local Centres:

- |                                 |                                    |
|---------------------------------|------------------------------------|
| a. Billingham Green, Billingham | b. Mill Lane, Billingham           |
| c. High Grange, Billingham      | d. The Stables, Wynyard            |
| e. Wolviston Court, Billingham  | f. Orchard Parade, Eaglescliffe    |
| g. Healaugh Park, Yarm          | h. Sunningdale Drive, Eaglescliffe |
| i. Myton Way, Ingleby Barwick   | j. Elm Tree Centre, Stockton       |
| k. Hanover Parade, Stockton     | l. Harper Parade, Stockton         |
| m. High Newham Court, Stockton  | n. Oxbridge Lane, Stockton         |
| o. Redhill Road, Stockton       |                                    |

Should any planning application proposals for main town centre uses in edge or out-of-centre locations emerge, such proposals will be determined in accordance with the Sequential and Impact tests set out in Policy EG3 alongside prevailing national planning policy, having regard to the catchment area of the proposal.

16. Small scale convenience facilities which are intended to meet the needs of a neighbourhood will be permitted in suitable and available commercial premises in undesignated shopping parades, in accordance with Policy EG6.

## Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

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

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:
  - a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
  - b) Protecting and enhancing designated sites (including the Teesmouth and Cleveland Coast Special Protection Area and Ramsar) and other existing resources alongside the provision of new resources.
  - c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
  - d) Enhancing woodlands and supporting the increase of tree cover where appropriate.
  - e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.
  - f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.
  - g) Directing appropriate new development within the countryside towards existing underused buildings on a site for re-use or conversion in the first instance. Only where it has been demonstrated to the satisfaction of the local planning authority that existing underused buildings would not be appropriate for the intended use should new buildings be considered.
  - h) Supporting the conversion and re-use of buildings in the countryside where it provides development identified within Policies SD3 and SD4, and meets the following criteria:
    - i. The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding;
    - ii. Any alterations or extensions are limited in scale;
    - iii. The proposed use does not result in the fragmentation and/or severance of an agricultural land holding creating a non-viable agricultural unit; and
    - iv. Any associated outbuildings/structures are of an appropriate design and scale.
  - i) Considering development proposals within green wedges against Policy ENV6.
  - j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.
  - k) Supporting proposals within the Tees Heritage Park which seek to increase access, promote the area as a leisure and recreation destination, improve the natural environment and landscape character, protect and enhance cultural and historic assets, and, promote understanding and community involvement.
  - l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.
  - m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:
  - a. Directing development in accordance with Policies SD3 and SD4.
  - b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.
  - c. Supporting sustainable water management within development proposals.
  - d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.
  - e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.
  - f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.
  - g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.
  - h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.
3. Conserve and enhance the historic environment through a variety of methods including:
  - a. Celebrating, promoting and enabling access, where appropriate, to the historic environment.
  - b. Ensuring monitoring of the historic environment is regularly undertaken.
  - c. Intervening to enhance the historic environment especially where heritage assets are identified as being at risk.
  - d. Supporting proposals which positively respond to and enhance heritage assets.
  - e. Recognising the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution.
4. Priorities for interventions to conserve and enhance the historic environment include the conservation areas of Stockton and Yarm, assets associated with the route of the Stockton & Darlington railway of 1825, the branch line to Yarm and associated structures, and assets identified as being at risk. These assets, along with Preston Park, are also the priorities for celebrating the historic environment.

#### Economic Growth Policy 3 (EG3) - Protecting Centres

1. Subject to the scale and catchment of the proposal, retail (A1 use class) development will be directed to suitable and available sites and premises in defined centres, as identified on the Policies Maps, in the following sequence:
  - a. Stockton Town Centre Primary Shopping Area; then,
  - b. Sites within the boundaries of Stockton Town Centre; then,
  - c. Sites within the ground floor shopping frontages of the District Centres; then,
  - d. Sites within the boundaries of the District Centres; then,
  - e. Sites on the edge of Stockton Town Centre which have the opportunity to connect to the defined Primary Shopping Area; then,
  - f. Sites on the edge of the District Centres which have the opportunity to connect to the District Centre's main shopping areas or frontages; then,
  - g. Sites within the Local Centres; and finally,
  - h. Sustainable out-of-centre locations within the limits to development.
2. Other main town centre uses will be directed to suitable and available sites and premises in the following locations, subject to the scale and catchment of the proposal:
  - a. Town and District Centres, and for office development only, Principal Office Locations; then,



- b. Sites on the edge of the Town and District Centres, which are well served by public transport and have a high likelihood of forming links with the centre; then,
  - c. Within the boundaries of the Local Centres; then,
  - d. Sustainable out-of-centre locations within the limits to development.
3. Proposals will only be supported in sequentially less preferable locations where it has been demonstrated that there are no available and suitable sites or premises in sequentially preferable locations, and that a flexible approach to scale and format has been applied.
4. Town centre use proposals on out-of-centre sites, which demonstrate that the format and scale of the development means it cannot be located in a town centre location, will be the subject of restrictive conditions to protect the future vitality and viability of the Boroughs town centres.
5. Convenience retail proposals in excess of 500 square metres (net), comparison retail proposals in excess of 1,000 square metres (net) and all other new retail development likely to have a significant adverse impact upon existing centres by virtue of its nature, location or likely turnover, will be required to submit a proportionate impact assessment. Such development will only be supported outside of the town centre hierarchy where it will not have a significant adverse impact, both individually and cumulatively, on:
- a. Existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
  - b. The vitality and viability of existing centres in the catchment area of the proposal, including local consumer choice and trade in the centre and wider centre up to five years from when the application is made (for major schemes, up to ten years from when the application is made).
6. Development proposals in out-of-centre or edge-of-centre locations for leisure uses will require an impact assessment where there is potential for the proposal to have a significant adverse impact upon either the vitality and viability of existing defined centres (including comparable facilities therein) or investment which is existing, planned or committed in town, district and local centres, by virtue of their scale, nature, format location and/or accessibility.

#### Economic Growth Policy 6 (EG6) - Small Scale Facilities

1. Proposals for small-scale town centre uses and hot food takeaways designed to meet a localised catchment will be directed to defined town, district and local centres first, and then if no suitable premises are available, to existing available and suitable premises in other existing shopping parades in the catchment area of the proposal.
2. Within strategic residential, and general employment developments, where no similar facilities exist within reasonable walking distance, developers should provide new shopping, service and community facilities of a scale which meet the day-to-day needs of future occupiers, subject to taking into account the range, choice and accessibility of existing local provision.
3. Support will only be given to the development of, or change of use to, small-scale (under 150sq m) town centre uses which would meet a local need outside of defined town, district, and local centres and shopping parades where they:
- a. Are of a scale and function intended to serve a localised catchment area;
  - b. Do not have a significant adverse impact upon the vitality and viability of any designated centre; and
  - c. Are situated within the limits to development.
4. Outside of town, district and local centres, development proposals for new hot-food-takeaways, betting offices or public houses, will be resisted where they result in a harmful over-concentration of those uses.

#### Natural, Built and Historic Environment Policy 1 (ENV1) - Energy Efficiency

1. The Council will encourage all development to minimise the effects of climate change through meeting the highest possible environmental standards during construction and occupation.

The Council will:

- a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:
    - i. Energy reduction through 'smart' heating and lighting, behavioural changes, and use of passive design measures; then,
    - ii. Energy efficiency through better insulation and efficient appliances; then,
    - iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then
    - iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then
    - v. Conventional energy.
  - b. Require all major development to demonstrate how they contribute to the greenhouse gas emissions reduction targets set out in Stockton-on-Tees' Climate Change Strategy 2016; and
  - c. Support and encourage sensitive energy efficiency improvements to existing buildings.
2. Proposals are encouraged where development:
- a. Incorporates passive design measures to improve the efficiency of heating, cooling and ventilation; and
  - b. Includes design measures to minimise the reliance on artificial lighting through siting, design, layout and building orientation that maximises sunlight and daylight, passive ventilation and avoids overshadowing.

Non domestic

4. All new non-residential developments up to and including 499 sq m of gross floor space will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).
5. All new non-residential developments of 500 sq m and above of gross floor space will be required to:
  - a. Submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction; and
  - b. Be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

#### Natural, Built and Historic Environment Policy 4 (ENV4) - Reducing and Mitigating Flood Risk

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.
3. Site specific flood risk assessments will be required in accordance with national policy.
4. All development proposals will be designed to ensure that:
  - a. Opportunities are taken to mitigate the risk of flooding elsewhere;
  - b. Foul and surface water flows are separated;
  - c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and
  - d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.



5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:
  - a. To an infiltration or soak away system; then,
  - b. To a watercourse open or closed; then,
  - c. To a sewer.
6. Disposal to combined sewers should be the last resort once all other methods have been explored.
7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.
8. Within critical drainage areas or other areas identified as having particular flood risk issues the Council may:
  - a. Support reduced run-off rates.
  - b. Seek contributions, where appropriate, towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.
9. Sustainable Drainage Systems (SuDS) should be provided on major development (residential development comprising 10 dwellings or more and other equivalent commercial development) unless demonstrated to be inappropriate. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance.
10. Through partnership working the Council will work to achieve the goals of the Stockton-on-Tees Local Flood Risk Management Strategy and the Northumbria Catchment Flood Management Plan. This will include the implementation of schemes to reduce the risk of flooding to existing properties and infrastructure. Proposals which seek to mitigate flooding, create natural flood plains or seek to enhance and/or expand flood plains in appropriate locations will be permitted.
11. To reduce the risk of flooding the Council is working in partnership with the Environment Agency to deliver a Flood Alleviation Scheme on Lustrum Beck.

Natural, Built and Historic Environment Policy 5 (ENV) - Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity

1. The Council will protect and enhance the biodiversity and geological resources within the Borough. Development proposals will be supported where they enhance nature conservation and management, preserve the character of the natural environment and maximise opportunities for biodiversity and geological conservation particularly in or adjacent to Biodiversity Opportunity Areas in the River Tees Corridor, Teesmouth and Central Farmland Landscape Areas.
2. The Council will preserve, restore and re-create priority habitats alongside the protection and recovery of priority species.
3. Ecological networks and wildlife corridors will be protected, enhanced and extended. A principal aim will be to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats.
5. Development proposals should seek to achieve net gains in biodiversity wherever possible. It will be important for biodiversity and geodiversity to be considered at an

early stage in the design process so that harm can be avoided and wherever possible enhancement achieved (this will be of particular importance in the redevelopment of previously developed land where areas of biodiversity should be retained and recreated alongside any remediation of any identified contamination). Detrimental impacts of development on biodiversity and geodiversity, whether individual or cumulative should be avoided. Where this is not possible, mitigation and lastly compensation, must be provided as appropriate. The Council will consider the potential for a strategic approach to biodiversity offsetting in conjunction with the Tees Valley Local Nature Partnership and in line with the above hierarchy.

6. When proposing habitat creation it will be important to consider existing habitats and species as well as opportunities identified in the relevant Biodiversity Opportunity Areas. This will assist in ensuring proposals accord with the 'landscape scale' approach and support ecological networks.

7. Existing trees, woodlands and hedgerows which are important to the character and appearance of the local area or are of nature conservation value will be protected wherever possible. Where loss is unavoidable, replacement of appropriate scale and species will be sought on site, where practicable.

#### Natural, Built and Historic Environment Policy 7 (ENV7) - Ground, Air, Water, Noise and Light Pollution

1. All development proposals that may cause groundwater, surface water, air (including odour), noise or light pollution either individually or cumulatively will be required to incorporate measures as appropriate to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings, the character and appearance of the surrounding area and the environment.

2. Development that may be sensitive to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive developments or areas unless satisfactory mitigation measures can be demonstrated.

3. Where development has the potential to lead to significant pollution either individually or cumulatively, proposals should be accompanied by a full and detailed assessment of the likely impacts. Development will not be permitted when it is considered that unacceptable effects will be imposed on human health, or the environment, taking into account the cumulative effects of other proposed or existing sources of pollution in the vicinity. Development will only be approved where suitable mitigation can be achieved that would bring pollution within acceptable levels.

4. Where future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must demonstrate via site investigation/assessment that:

a. Any issues will be satisfactorily addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health and the environment; and

b. Demonstrate that development will not cause the site or the surrounding environment to become contaminated and/or unstable.

5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be

demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.

6. To improve the quality of the water environment the Council will:

- a. Support ecological improvements along riparian corridors including the retention and creation of river frontage habitats;
- b. Avoid net loss of sensitive inter-tidal or sub-tidal habitats and support the creation of new habitats; and
- c. Protect natural water bodies from modification, and support the improvement and naturalisation of heavily modified water bodies (including de-culverting and the removal of barriers to fish migration).

#### Housing Policy 1 (H1) - Housing Commitments and Allocations

1. To deliver the housing requirement and to maintain a rolling five year supply of deliverable housing land, the Council have allocated sites identified within this policy. The majority of the new homes will be delivered through existing commitments (sites with planning permission identified within point 2) with the remainder of new homes being delivered through allocations at:

- a. Various sites within the Regenerated River Tees Corridor.
- b. Various sites within the conurbation.
- c. West Stockton Sustainable Urban Extension.
- d. Wynyard Sustainable Settlement.

The total number of dwellings set out in this policy is not the same as the housing requirement. This is because some commitments have already delivered a proportion of the dwelling numbers identified and some sites will likely deliver dwellings beyond the plan period, after 2032.

##### Commitments

2. Residential development is proposed at the following main sites, which benefit from planning permission. These sites are re-affirmed for residential development and are illustrated on the Policies Map:

Site Location/Name	Area (ha)	Total Dwellings (approx)	Remaining Supply at April 2018
IB3 Little Maltby Farm, Low Lane	35	1155	1085

#### Housing Policy 4 (H4) - Meeting Housing Needs

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of appropriate sizes, types and tenures which reflects local needs and demand, having regard to the Strategic Housing Market Assessment, its successor documents or appropriate supporting documents.

2. Support will be given to higher density development within areas with a particularly high level of public transport accessibility. Elsewhere housing densities will be considered in the context of the surrounding area in accordance with Policy SD8.

3. The Council require 20% of new homes to be affordable on schemes of more than 10 dwellings or with a combined gross floorspace of above 1000sqm.

4. Where an applicant considers that the provision of affordable housing in accordance with the requirements of this policy would make the scheme unviable, they must submit a full detailed viability assessment to demonstrate the maximum level of affordable housing that could be delivered on the site. The applicant will be expected to deliver the maximum level of affordable housing achievable.

5. Affordable housing will normally be provided on-site as part of, and integrated within housing development to help deliver balanced communities. This provision should be

distributed across sites in small clusters of dwellings. Off-site affordable housing or a commuted sum will only be acceptable where:

- a. All options for securing on-site provision of affordable housing have been explored and exhausted; or
- b. The proposal is for exclusively executive housing, where off-site provision would have wider sustainability benefits and contribute towards the creation of sustainable, inclusive and mixed communities; or
- c. The proposal involves a conversion of a building which is not able to accommodate units of the size and type required; or
- d. Any other circumstances where off-site provision is more appropriate than on-site provision.

6. Where off-site affordable housing or a commuted sum is considered acceptable, the amount will be equivalent in value to that which would have been viable if the provision was made onsite and calculated with regard to the Affordable Housing Supplementary Planning Document 8 or any successor.

7. The Council will support proposals for specialist housing, including extra care and supported housing to meet identified needs. Accommodation will seek to deliver and promote independent living.

9. To ensure that homes provide quality living environments for residents both now and in the future and to help deliver sustainable communities, from the 1st April 2019 the following Optional Standards will apply, subject to consideration of site suitability, the feasibility of meeting the standards (taking into account the size, location and type of dwellings proposed) and site viability:

a. 50% of new homes to meet Building Regulation M4 (2) "Category 2 - accessible and adaptable dwellings".

b. 8% of new dwellings to meet Building Regulation M4(3) "Category 3 - Wheelchair User Dwellings". Where the local authority is responsible for allocating or nominating a person to live in that dwelling, homes should meet building regulation M4 (3) (2) (b). When providing for wheelchair user housing, early discussion with the Council is required to obtain the most up-to-date information on specific need in the local area.

10. To widen the overall housing offer, the Council will support the delivery of custom and selfbuild housing. The Council will:

- a. Regularly monitor the demand for custom and self-build housing and assist in facilitating the delivery of land/sites, where appropriate.
- b. Encourage applicants to consider incorporating plots for custom and self-build housing within larger housing developments.

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

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

2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment that describes the significance of the asset(s) affected, including any contribution made by their setting. Appropriate desk-based assessment and, where necessary, field evaluation will also be required where development on a site which includes or has the potential to include heritage assets with archaeological interest. Applicants are required to detail how the proposal has been informed by assessments undertaken.

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

6. The following are designated heritage assets:

- a. Scheduled Monuments - Castle Hill; St. Thomas a Becket's Church, Grindon; Barwick Medieval Village; Round Hill Castle Mound and Bailey; Larberry Pastures Settlement Site; Newsham Deserted Medieval Village; Stockton Market Cross and Yarm Bridge
- b. Registered Parks and Gardens - Ropner Park and Wynyard Park
- c. Conservation Areas - Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Egglescliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm
- d. Listed Buildings

11. Where archaeological remains survive, whether designated or not, there will be a presumption in favour of their preservation in-situ. The more significant the remains, the greater the presumption will be in favour of this. The necessity for preservation in-situ will result from desk-based assessment and, where necessary, field evaluation. Where in-situ preservation is not essential or feasible, a programme of archaeological works aimed at achieving preservation by record will be required.

12. Any reports prepared as part of a development scheme will be submitted for inclusion on the Historic Environment Record.

## Material Planning Considerations

### Principle of Development

- 24. Policy SD2 of the Local Plan identifies the housing delivery requirement for Stockton Borough Council over the plan period and Policy SD3 Housing Strategy sets out the Council's approach in achieving the delivery of housing. Policy H1 recognises the site (ref. IB3) as a housing commitment.
- 25. Our five-year housing land supply position has recently been published. Revisions to national policy published on 12th December 2024 meant that the Government's methodology for calculating Local Housing Need has been amended, with a significant increase now applicable to Stockton-on-Tees Borough. Consequently, the Council is only able to demonstrate 4.33 years supply of deliverable housing sites over the period covered by this assessment.
- 26. As such, this current planning application for the approx. 60 bedspace residential care accommodation or extra care facility could represent a key benefit for the Council to assist in the five-year supply of deliverable housing land, in accordance with Policy SD3 and H1 outlined above should the scheme become an extra care facility. It should be noted that the 60 bedspaces are in outline and the proposal is to allow flexibility in the product proposed. Early Discussions have taken place with Adults Health and Wellbeing over the Council's position in terms of demand and need.
- 27. The four houses proposed are on an allocated site and therefore the Principle of this form of development is acceptable. Conditions to ensure 2 of the homes are accessible and adaptable have been recommended.
- 28. In terms of the local centre, whilst the site is located 'out of centre', Policy EG6 sub-paragraph 2, of the SBC Local Plan relates to small scale community facilities and states: "*Within strategic residential, and general employment developments, where no similar facilities exist within walking distance, developers should provide new shopping, service and community facilities of a scale which meet the day-to-day needs*



*of future occupiers, subject to taking into account the range, choice and accessibility of existing local provision."*

29. The nearest defined Local Centre is at Ingleby Barwick located to the north-west of the Site approximately approx. 1.2km (as the crow flies) from the site. A Neighbourhood Centre at Beckfields is located approx. 0.75km to the north of the Site and also a Convenience store at the Petrol Filling station, approx. 0.25km to the south.
30. Whilst there are facilities in reasonable walking distance, the Beckfields to the north is across Bassleton Beck and the filling station to the north is a small retail convenience good facility. The application has requested a general E class which can include a wide range of services such as a hairdressers, bakery, dentists and other such uses. All of these services provide sustainable accessible services to the local community.
31. Generally, in Ingleby Barwick most 'villages' have a neighbourhood or local centre which follows the general ethos of the original master plan which stated that each village would contain its own local centre with primary school, village greens, local shops, public houses and community facilities. It is also noted that the principle of developing a local centre in this general location to support the sustainability of this housing development has already been accepted by the Planning inspectorate and granted planning consent, albeit this scheme has now expired.
32. Applying Policy EG6(2) to this Site, it is clearly located within strategic residential development (Site IB3) and in this regard the proposals would support and enhance the sustainability of the current and future planned housing development surrounding the site and help to reduce the need for people to drive out of the site to access such shops and services.
33. In view of the above, it is considered that the local centre proposals comply with the principle and objectives of Policy EG6(2) by providing new retail facilities which will support and enhance the sustainability of this residential community.
34. Paragraph 97 of the local plan states that local planning authorities should refuse applications for hot food takeaways and fast food outlets: a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour and therefore any change of use. The use class applied for is E class and not a hot food takeaway however this would include a café/restaurant such as MacDonalds and therefore a condition has been recommended to prevent the units being use for hot food takeaways and fast food outlets.
35. Overall it is considered that that the principle of the development as proposed is acceptable and there are no policy reasons to refuse the application.
36. Comments in relation the master plan are noted however this appears to be a plan provided by the housing developers to prospective purchasers and carries no weight in the determination of this application.

Impact on the character and appearance of the area

37. The application is in outline and indicative plans have been submitted to show how the site can be laid out and an indicative plan of the proposed care facility.
38. The proposed development is indicated to be a single storey retail facility, two storey residential dwellings and a 2.5 storey care facility. It is considered that these details can be considered in detail at the reserved matters stage and that a scheme can be achieved that will not adversely affect the character and appearance of the area.
39. Landscaping is shown along the main spine road and within the site and the final details can be secured in the reserved matters stage along with the comments from Cleveland Police in terms of Secure by Design.
40. Whilst this is an outline application it is considered that a scheme could be delivered that would not have a significant adverse impact on the character and appearance of the area.

#### Heritage and Archaeology

41. Whilst there are no designated heritage assets on the application site itself, there is a Grade II listed building located east of the application site boundary, Little Maltby Farm. The farmhouse is an early 19th-century Late Georgian farmhouse of small bricks, now whitewashed with first floor band. Ordnance The 2.5 storey care home / retirement living is proposed to be set back from The two storey Little Maltby Farm by 28m minimum and by 40m from The Haybarn.
42. Where views are available these hold significance in providing a visual connection between the farm and its former historic landscape setting. However, this has been compromised by the residential and modern developments to the north, and immediate west and south. Nonetheless, the historic setting and appearance of the farm can still be appreciated from the south and south-west. Having regard to the extent to which the setting of the farm has been altered by such development, it is considered that the harm arising from the development will be less than substantial and would not be a reason to refuse the application
43. In terms of archaeology, Tees Archaeology have considered the scheme and have recommended that further investigation take place and this has been secured by condition.

#### Impact on neighbours

44. The application is accompanied by an indicative master plan. These buildings are shown to be able to achieve adequate separation distances and screening in the form of landscaping which can be secured by condition.
45. The local centre could give rise to noise and disturbance and therefore a condition has been recommended to control the hours of operation along with the timing of the deliveries. With these conditions in place, it is not considered that the scheme would give rise to significant noise and disturbance.
46. Use Class E(b) includes units for food to be eaten on the premises and a condition has been recommended to control this further as this may give rise to more noise and disturbance. The proposal includes a terrace and the hours of use have been secured by condition further.

47. The houses to the north would provide natural surveillance across the open space and the positioning would not adversely affect the privacy or amenity of any neighbouring residential properties.
48. Overall it is considered that a scheme can be delivered that will not adversely affect the neighbouring residential properties

#### Noise

49. A noise assessment accompanies the application, and the report has shown that the proposed residential elements of the site will require alternative means of ventilation to achieve the guidance noise levels. This can be considered further at the reserved matters stage and through the building regulation process.
50. In terms of noise and disturbance from the local centre, in accordance with BS4142, indicative noise limits have been proposed for the rating noise level of external plant, and this can be controlled via condition.
51. The assessment has shown that noise impact from deliveries is expected to reside at or below the “Lowest observable adverse effect level” (LOAEL) in accordance with the PPG for Noise and Noise Policy Statement for England. Nonetheless a condition has been recommended to control the hours for deliveries.
52. The assessment for noise associated with the car parking areas found that noise is likely to result in an overall Negligible impact in both the short-term and long-term, when assessed against the respective measured baseline noise levels.
53. Environmental Health have recommended a validation report to be submitted however it is considered the condition as proposed will secure the noise mitigation once the scheme has been fully designed.
54. Overall, it is concluded that subject to the recommended mitigation measures being implemented for the proposed development, noise should not have an adverse impact.

#### Air Quality

55. An Air Quality Assessment accompanies the application which does indicate a high to medium risk of dust soiling impacts and a low risk of increases in particulate matter concentrations, due to unmitigated construction activities. However, through good site practice and the implementation of the recommended mitigation measures, the effects of dust and PM10 releases would be significantly reduced and considered to be not significant. A CEMP will ensure that these measures are implemented which will address the comments from the EHO.
56. In addition, based on the development traffic flows predicted to be less than 500 AADT once distributed on the local road network and low background concentrations, the Proposed Development itself will have a not significant impact on local air quality.

#### Traffic and Transport

57. A Transport Statement (TS) has been submitted with the application. The site is accessibly located within walking and cycling distance of nearby residential areas.



There are nearby bus stops which provide a bus services to the wider area. The TS concludes that the development proposals provide safe and suitable access arrangements for all modes.

58. The TS also concludes that the forecast trip impact associated with the development proposals will not have a significant impact on the local highway network or the SRN. It should be noted that the total forecast trip numbers will be lower than what was originally anticipated overall for the housing allocation. It is concluded that there are no highway or transportation reasons which should prevent the proposed development of the site.
59. The site is to be accessed from both Melandra Way and Welwyn Way. The accesses have been reviewed by the Highways Transport and Design Manager who considered the accesses suitable.
60. Whilst comments in relation to inconsiderate or on street parking relating to the school are noted it is not the responsibility of this developer to resolve existing issues. The indicative plans also show sufficient car parking can be achieved to serve the development and this will be considered further once the reserved matters application has been received.
61. Comments have been received in relation to the bridleway are noted however this will not change and still be available for use and 'overuse' would not be a reason to refuse the application. The proposals also include a footpath to the north to the east of the open space to link the wider residential areas.

#### Flood Risk

62. A flood risk assessment and drainage strategy accompany the application. Surface water runoff will mimic the existing undeveloped site but will apply QBar as the rate restriction during all events. Applying a restricted discharge rate at 6.7l/sec in this way results in a reduction from predevelopment rates during extreme rainfall events which result in flooding / flood risk. Therefore, development of the site results in a reduction in flood risk in the area.
63. The plans show a SuDS detention basin which will attenuate surface water flows prior to discharge into the adjacent watercourse. All new adoptable standard surface water drainage is to be designed in accordance with 'Sewerage Sector Guidance'. A 45% increase in rainfall due to climate change has been considered.
64. It is proposed to discharge foul flows to foul sewers. All new adoptable foul sewerage is to be designed in accordance with 'Sewerage Sector Guidance'.
65. The LLFA and NWL have reviewed the plans and raised no objections subject to conditions which have been recommended.
66. Overall, it is considered that the applicant has provided information to show that the proposed development can be implemented without increasing existing flood risk to the site and there are no objections to the development from a flood risk / drainage aspect, subject to a number of conditions which have been recommended.

#### Ecology and Biodiversity

67. An Ecological Impact Assessment accompanies the application and concludes that *"Based on the nature of the site no further survey work is recommended as the grassland is considered to have been heavily disturbed following its use as a storage area"*. The EclA considered the use of the site by bats, birds, GCN, badgers and other species but the site is considered to be low value to these species. The site has been used for the construction compound in the past and has been covered in spoil and is of low ecological value.
68. Whilst this is noted the EclA makes a number of standard mitigation and compensatory measure recommendations to be incorporated into the final scheme, to avoid impacts on wildlife. These recommendations will be taken forward as part of any future reserved matters application and the EclA report has been conditioned
69. The application is also accompanied by a Biodiversity Net Gain Feasibility Study which sets out the requirements to achieve a 10% biodiversity net gain. A detailed planting strategy will need to be secured at Reserved Matters stage which can help replace, mitigate and enhance any habitat lost on site. A condition has been recommended accordingly

#### Nutrient Neutrality

70. A Shadow Habitat Regulations Assessment (sHRA) and Nutrient Budget Calculator accompanies the application confirming 81.06 Nutrient Credits are required to mitigate the 81.06kg TN/year nutrient budget for the development.
71. These credits have been sourced from a registered third-party provider, accredited by Natural England, at their Nutrient Mitigation Site in the Tees Catchment. This will ensure the development will achieve Nutrient Neutrality.

#### Contaminated Land

72. The desk study for the site has revealed some localised potentially active pollutant linkages. The most notable of these is a former fuel station in the south of the site which is considered a relatively high risk potential contaminant source. The known history of the remainder of site (as farmland) indicates only a limited potential for soil contamination. No sources of ground gas have been identified by the desk study. Based on the findings of the desk study an intrusive investigation will be required. This information has been secured via condition.

#### Other matters

73. Concerns were raised in relation to lack of consultation however 60 neighbours were consulted, a site notice erected on Welwyn Way and advertise in the local press. It is therefore considered that sufficient consultation has been undertaken in accordance with the requirements of the General Development Procedure Order.
74. Safeguarding concerns, including increased footfall from non-residents, loitering, and potential exposure to age-inappropriate interactions in relation to the school are noted but there are many schools near business premises and this would not be a reason to refuse the application. Other legislation is available should any concerns be raised should inappropriate behaviour be witnessed. This is the same for any anti social behaviour that may occur.

75. Concerns over a loss of property value, are not a material planning consideration and carries no weight in the determination of this application.
76. Concerns over increased litter are acknowledged and appropriately worded condition in relation to refuse storage has been recommended.

## **Conclusion**

77. In view of the considerations set out within this report, the application is recommended to Approved with Conditions.

## **Financial Implications**

No known implications

## **Environmental Implications**

The application will lead to short term implications during construction. Any other environmental implications which are detailed in the report can be adequately controlled by condition.

## **Legal Implications**

No known implications

## **Community Safety Implications**

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

## **Human Rights Implications**

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

## **Ward and War Councillors**

Ward	Southern Villages
Ward Councillor	Councillor Elsi Hampton

## **Background Papers**

National Planning Policy Framework  
National Planning Practice Guidance  
Stockton on Tees Local Plan Adopted 2019  
Application File

Name of Contact Officer: Elaine Atkinson

Post Title: Principal Planning Officer

Telephone number: 01642 526062

Email Address: [Elaine.Atkinson@stockton.gov.uk](mailto:Elaine.Atkinson@stockton.gov.uk)

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Outline Planning Application (with all matters reserved except access) comprising a convenience foodstore and a parade of 4no convenience facilities (Use Class E) and associated outdoor terrace area. Erection of retirement living apartments (use class C3) or residential care accommodation (use class C2) of approx. 60 bed spaces. Erection of 4no self build residential plots (Use Class C3). Highway access to/from the A1104 Low Lane via Welwyn Road and Melandra Road connecting to northeast boundary, with associated landscaping, open space and associated works.

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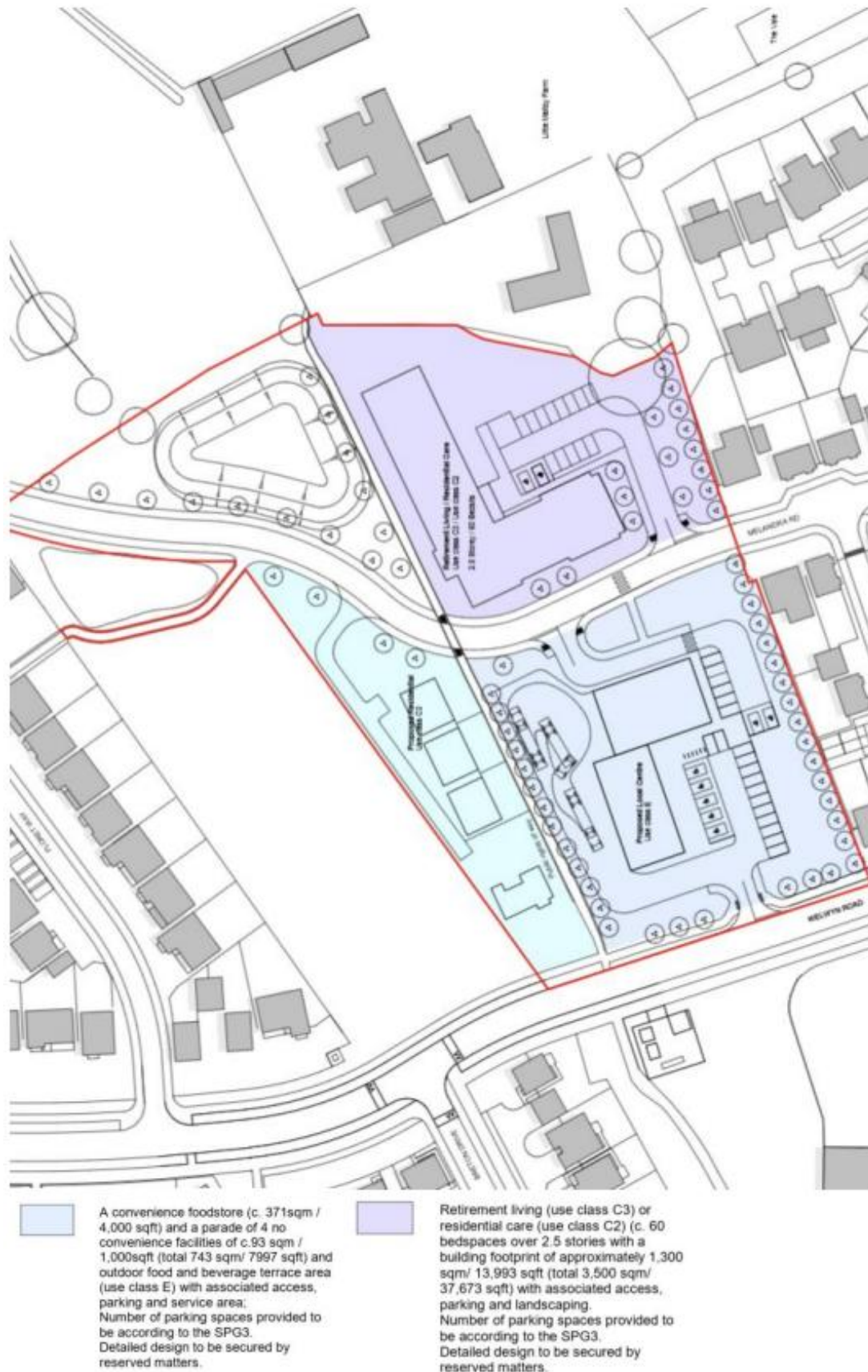
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## DELEGATED

Report to Planning Committee  
5 November 2025

Report of Director of Regeneration & Inclusive Growth

### 25/1514/OUT

Land South Manor Close, Wolviston, TS22 5QA

Expiry Date: 4 November 2025

Extension of Time Date: 10 December 2025

### Summary

Outline Planning permission is sought for the erection of up to 11no self-build plots with all matters reserved except access.

The application site is outwith the development limits, however the Council cannot demonstrate a five year supply of housing and therefore the benefits of the scheme have been weighed against the harm as detailed in the report.

The development has received a number of objections which have been considered in full and there are no sustainable planning reasons to refuse the development.

The proposal is considered to be acceptable in planning terms in all other regards and is recommended for approval subject to those conditions as detailed within the report.

### Recommendation

**That planning application 25/1514/OUT be approved subject to the following conditions and informatives and subject to the Section 106 Agreement detailed in the Heads of Terms below;**

#### **01 Reserved Matters - Time Period for submission**

Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

#### **02 Period for Commencement**

The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

#### **03 Reserved Matters – Details**

Notwithstanding the submitted plans, approval of the details of the Appearance, Landscaping, Layout and Scale of the development known as the 'Reserved Matters' shall

be obtained in writing from the Local Planning Authority before the development is commenced. The development shall be carried out in accordance with the approved plans

Reason: To reserve the rights of the Local Planning Authority with regard to these matters

#### **04 Approved Plans**

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

<b>Plan Reference Number</b>	<b>Date Received</b>
SBC0001	29 July 2025
L023034 - 004 Rev C (Access Only)	1 August 2025

Reason: To define the consent.

#### **05 Design Guide**

Prior to the commencement of work an updated Design Guide, shall be submitted to and be approved in writing by the local planning authority. This shall include, but shall not limited to;

- (a) A shading assessment plan, taking into account the trees and hedgerows to the boundaries of the site
- (b) A plot parameters plan showing the Dwelling Development Zones which shall be updated following the assessment outlined at (a)
- (c) No house shall be more than two storey

Thereafter the development shall be implemented in general conformity with the approved design guide.

Reason: To enable the Local Planning Authority to satisfactorily control the development.

#### **06 Phasing Plan**

No development shall commence until a phasing plan for the application site has been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise approved in writing with the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the conditions attached hereto, in so far as those conditions relate to each phase of development and to ensure no plot is developed in isolation.

#### **07 Existing and Proposed Site levels;**

Notwithstanding the information submitted as part of the application, for each phase of the development, details of the existing and proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. Work shall be undertaken in accordance with the approved scheme.

Reason: To define the consent and to ensure that the development does not adversely impact on the visual amenities of the area

#### **08 Ecology and Biodiversity**

Works shall be undertaken in accordance with the recommendations as detailed in Section 5 (Conclusions and Recommendations) of the Preliminary Ecological Appraisal (Ref: SEPEL-24-197) dated September 2024



Any works on site that require clearing areas of scrub and vegetation in advance of any proposed development should be completed during the period September to February to avoid any disturbance to breeding birds between 1st March and 31st August. Where clearance does take place during the bird breeding season, a pre-clearance check of the area should be carried out by a suitability qualified ecologist.

Reason: To conserve protected species and their habitat where necessary

## **09 Ecology Survey**

If work does not commence on each phase/plot within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing on each phase/ plot 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

Reason: To conserve protected species and their habitat where necessary

## **10 Habitat and wildlife**

As detailed in BS 3998:2010 Prior to work commencing, 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 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).

Reason: In compliance with the Habitat Regulations and Countryside and Wildlife Act.

## **11. Biodiversity Net Gain**

No development shall commence until a Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority

Reason: In the interests of ensuring measurable net gains to biodiversity and to allow the Local Planning Authority to discharge its duties in accordance with Policies SD5, SD8 and ENV5 of the Stockton-on-Tees Local Plan and Schedule 7A of the Town and Country Planning Act 1990 (as amended) as modified by The 'Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

## **12 Habitat Management and Monitoring Plan**

No development shall commence until a Habitat Management and Monitoring Plan (HMMP) has been prepared in accordance with the approved Biodiversity Gain Plan and has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include: (a) a non-technical summary;

- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the practical completion of the development or the first occupation of the development, whichever is the sooner

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.

Reason: To ensure the proposed habitat creation and/or enhancements are suitably managed and monitored to ensure development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

## **11 Construction Management Plan**

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

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

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

Reason: In the interests of highway safety and residential amenity

## **12 Tree Protection**

Notwithstanding the proposals detailed in the submitted plans an Arboricultural Survey, Impact Assessment, Arboricultural Method Statement and Tree Protection Plan Must be provided as part of any Reserved Matters application. This must be in close accordance with:

1. BRITISH STANDARD 5837:2012 Trees in relation to design, demolition and construction – Recommendations
2. NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007 The report should cover all trees within 10m of the centre line of 'The Racecourse' with a diameter greater than 250mm DBH unless otherwise agreed with the Principal Tree and Woodlands Officer.

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.

Reason: To protect the all existing trees on and immediately adjacent to the site (within 10m) that the Local Planning Authority consider provide important amenity value in the locality



### **13 Tree Retention**

Notwithstanding the submitted information, all trees and hedges to the boundaries of the application site shall be retained and maintained for the lifetime of the development. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with any approved plans submitted as part of a reserved matters application. Any tree, shrub or hedge or any tree, shrub or hedge that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

### **14 Energy Efficiency**

Prior to the commencement of development on each plot, an energy statement identifying how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies shall be submitted and approved in writing by the local planning authority. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

Reason: Reason: In the interests of promoting sustainable development in accordance with the requirements of Local Plan Policy ENV1

### **15 Preliminary Risk Assessment**

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

- a) A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site. If required,
- b) A detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) Based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

This must be undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" Guidance (2023). Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at

unacceptable risk from or being adversely affected by unacceptable levels of water and land pollution.

#### **16 Recording of a heritage asset through a phased programme of archaeological works**

No development shall commence until a Strategy for Archaeological Mitigation, including a phased programme of archaeological works, has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological mitigation will then be carried out in accordance with the approved strategy. The strategy shall include an assessment of significance and research questions; and:

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

B) No demolition/development shall take place other than in accordance with the strategy approved under part (A). No plots shall be sold until the archaeological work has been carried out in accordance with the strategy approved under part (A).

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

Reason: To ensure that archaeology is considered and recorded in accordance with policy HE2 of the local plan

#### **17 Foul and Surface Water**

Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

#### **16 Sustainable Surface Water Drainage Scheme**

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

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the Local Plan Policies SD5 & ENV4 and the National Planning Policy Framework.

##### **17 Open Access**

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

Reason: To ensure that infrastructure is provided to facilitate fibre connections to all new development in accordance with Policy TI3 of the Stockton on Tees Local Plan

##### **18 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.

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties.

##### **19 Unexpected land Contamination**

In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, in accordance with best practice guidance, the details of which are to be agreed in writing with the Local Planning Authority in advance. Where remediation is shown to be necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing in advance.

Reason: To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risk to receptors.

##### **20 Permitted Development Rights – No extensions / alterations or outbuildings**

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 erected within the curtilage without the written approval of the Local Planning Authority

Reason: In order that the local planning authority may exercise further control in order to protect the character and appearance of the area and the amenity of adjoining residents and landscaping features.

##### **21 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 in accordance with the approved design guide, no gates, fences, walls or other means of enclosure shall be erected between the front, side or rear walls of any dwelling without the written approval of the Local Planning Authority.

Reason: In order that the local planning authority may exercise further control in order to protect character and appearance of the area and the amenity of adjoining residents.

## Informatives

### **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 National Standards for SuDS**

The new standards are intended for application in the design of the surface water drainage systems for new development. The FRA/DS should review the principles and standards and demonstrate how the surface water drainage design complies with the 7 standards proportionate to the size and scale of the development. The 7 standards are complementary, and the delivery of each standard should support delivery of the other standards. A surface water drainage system design that delivers multiple benefits will include a range of features and each of these should contribute to the delivery of several, if not all, of the standards.

<https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems/national-standards-for-sustainable-drainage-systems-suds>

### **Informative: Drainage Condition**

The applicant should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely Soakaway; Watercourse, and finally Sewer.

## Heads of Terms

The applicant shall enter into a Section 106 to secure the following obligations;

- Affordable Housing – commuted lump sum
- Education Contribution – based on the Councils standard formula

## Site and Surroundings

1. The application site is an existing paddock that lies to the southern edge of Wolviston Village, to the south of Manor Close. The site is flat, roughly square in shape and for the most part enclosed by landscaping/hedgerows.
2. To the north of the site are the residential properties of Manor Close, a cul-de-sac currently serving 9 dwellings. To the east is Wolviston Road with open farmland to the south and west.
3. Wolviston Conservation is to the north and west of the application site and is centred around the historic core of the village (See Appendix 2), with more modern housing developments between.

## Proposal

4. Outline Planning permission is sought for upto 11 self build houses with all matters reserved other than access which will be taken from Manor Close using an existing field access which is currently gated.

## Consultations

5. Consultees were notified and the following comments were received.

6. Highways Transport & Design Manager

Highways Comments The current proposals are seeking outline planning approval with all matters reserved except for access for up to 11 dwellings and the applicant has submitted a site plan, drawing L023034 - 004 Rev C, a planning statement and a self-build design guide in support of the proposals.

Due to the scale of the proposals, it cannot be reasonably demonstrated that the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Therefore, the only material consideration, at this stage, is the suitability of Manor Close to serve the proposed development.

Manor Close is a residential cul-de-sac which currently serves 9 dwellings that benefits from a footway along the one side and a minimum carriageway width of 4.8m which is adequate for two vehicles to pass each other and is therefore considered suitable to provide access to the proposed additional 11 dwellings.

A separate footway which will also be provided which will enable residents to access Wolviston Road from the eastern boundary of the site. Taking the above into account there are no highways objections to the proposals.

7. Lead Local Flood Authority

Information reviewed:

Pre Development Enquiry from Northumbrian Water Ltd

S5000-BDN-XX-XX-DR-C-0110 Rev RL – EA Flood Map Overlay

The LLFA have reviewed the updated information provided, and are satisfied that a development can be achieved, without increasing flood risk. Condition FRM01 should be applied to any consent. The layout and detailed design of the SUDS can be agreed as part of the reserved matters application, and should comply with the new 'National Standards for Sustainable Drainage Systems (SuDS)', published in July 2025. Should the application be approved, the LLFA would welcome the opportunity to discuss the detailed design, prior to submission of the reserved matters application. At reserved matters stage the LLFA would not support any development within areas at risk of surface water flooding.

8. Billingham Town Council

Billingham Town Council made no comment to this application.

9. Councillors David Reynard & Marcus Vickers

We do not frequently pass comment on planning applications and instead seek expert advice and opinions from applicants and those directly impacted, however many residents have contacted us concerned regarding the above proposed development, a summary of concerns raised are detailed below. As ward councillors we are also concerned that the development falls outside of the local plan as per the proposed Miller Development nearby (which this application makes reference to) of which both developments cause significant risk to coalescing the village of Wolviston to the town of Billingham in contradiction of SBC's own policies and plan, alongside allowing a development on land not identified within the local plan and is currently used for agricultural purposes. Many concerns raised include:

**Village Status & Identity:** As mentioned above many residents are concerned that this application (along with the miller homes development) will be the end of Wolviston as a village and this will be the floodgates and precedent to further development and expansion. The deliberate exclusion of this site from the Local Plan reflects careful planning judgment that should not be overturned. It is also important to note the development lies next to the Wolviston Conservation Area, given the village's rich history and identity.

**Size of the development & Village Boundary:** Manor Close is a quiet cul-de-sac with less than 10 properties; this will see the size of this quiet cul-de-sac more than double.

Development limits exist to prevent urban sprawl and protect countryside character.

With the development technically falling outside the village boundary this again reinforces concerns regarding coalescing of the village which would be in direct breach of the authorities own policy, along with SD3 housing policy which has been disregarded.

**Access:** The design of the cul-de-sac can at times make access quite difficult, especially given that access will enter from Wolviston Road upon entering the village, which as a community there is ongoing efforts still taking place to resolve speeding within the village, with this area of the village a key point for action to tackle speeding. Furthermore given that Manor Close was adopted by SBC re: public highways with what we have been informed, there is access requirements/caveats in place that may directly impact access to the site.

**Self-build development:** After previously considering the development of 12 properties, the application has been submitted for 11 self-build development. This has raised concerns re: the timescales, completion, and consistency of such a development. We recognise the self-build development guide provided and the works done to compliment the historic status and character of the village within the document, however concerns regarding these being fulfilled, changes in design by the actual builder/developer, as well as a substantial end date to the development taking place with self-build mortgages/finance usually difficult to obtain, this raises genuine concerns that what is agreed today, may change or may carry on for a significant period of time with no conclusive end date.

**Biodiversity net gain:** We acknowledge the net gains the development is proposing, however sadly these are gained off-site, and more should be done to encourage biodiversity within the existing footprint, work which we have been passionate about in achieving throughout our community. Of which it is important to note Natural England have requested further information to determine impacts.

**Community/Social Value:** Many developments provide much valuable assets/funding being put back into the community e.g. section 106 funding etc. however, upon reviewing the application we are struggling to identify any such contributions to the local community, which is disappointing.

Other issues raised included limited school places and facilities; infrastructure capacity and that any such council tax return if eyed up will not offset infrastructure costs; drainage and surface water risk acknowledged in the application which may be worsened with removal of natural drainage capacity.

Overall, many of the concerns raised by residents are valid and ultimately given the land is not identified within the local plan and the risk of coalescing the village and the impact this will have raises serious valid reasons against the development. We thank the applicant for their time and effort in submitting a detailed application however could not support this application following conversations with residents, along with the timing of the application and the greater risk of the Miller Development being proposed (which the application makes reference to) feels like there is serious harm to the village status, identity, heritage and overall infrastructure with development being aimed at all angles



10. Wolviston Parish Council

The Parish Council formally objects to the proposed development on land adjacent to Manor Close. The scheme would more than double the number of properties accessing this cul-de-sac, creating unacceptable traffic and highway safety impacts for existing residents.

This site has a well-documented history of refusals by Stockton Borough Council. Planning application Ref. S3357/78 (26 January 1979) was refused on the grounds that the land should be "retained in open space/agricultural use." Similarly, Ref. S621/81 (27 May 1981) was refused with the same designation confirmed. Planning application Ref. 93/2048/P (1993) was also refused, with the Local Planning Authority stating that approval "could lead to other similar development which would adversely affect the character of this part of the Wolviston Conservation Area, making the area a less pleasant place in which to live." These grounds remain relevant to the current application, particularly with the threat additional development of up to 180 houses nearby.

The land in question does not form part of the Stockton Borough Council Local Plan and lies outside the defined village of Wolviston. Approval of this application would therefore represent a clear departure from adopted planning policy.

In addition, approval would establish an undesirable precedent, particularly in relation to adjacent land to the east of Wolviston Road, as referenced in paragraph 2.5 of the applicant's planning statement. Such developments would increase traffic through the village, place additional pressure on amenities, and critically undermine the retained and protected green wedge separating Wolviston and Billingham, as recognised in previous refusal notices.

The proposal would also be visually intrusive. Rear gardens from the development would be readily visible from the Wolviston Road approach, thereby detracting from the rural setting and harming the visual amenity of the Conservation Area.

It is further noted that an eight-foot strip of land at the southern boundary of Manor Close is alleged to be in the ownership of existing properties, forming a ransom strip that includes the proposed point of access.

For these reasons, supported by the consistent refusal history and policy conflicts outlined above, the Parish Council respectfully requests that the Planning Committee refuse application Ref. 25/1514/OUT in its entirety.

11. Environmental Health Unit

I have assessed the impact of the development and have considered the likelihood of noise and the potential for effect on air quality, land contamination arising from the proposal. Due to the proximity of residential properties there is the potential for noise and dust impacts during the construction phases. A contaminated land risk assessment should also be undertaken due to the residential end use of the site.

- Construction/ Demolition Noise
- Construction Management Plan
- Preliminary Risk Assessment

12. SBC Housing Services Manager

We note that the applicant has suggested that, in lieu of an affordable housing contribution, a commuted sum would be more appropriate. Because the application concerns a self-build site, in principle we would accept a commuted sum. Local Planning Policy states that for any proposed developments of 10 units or more that there will be a 20% affordable housing contribution. In this instance, 11 proposed dwellings would translate to 3 affordable. The commuted sum calculation will therefore be based on 3

affordable properties at current house prices for similar size properties in the locality of Wolviston, less the developer contribution.

13. SBC Place Development Manager

Thank you on consulting Place Development. The proposals can be summarised as constituting outline planning application for the erection of up to 11no. self-build plots with all matters reserved except access at land to the south of Manor Close, Wolviston. Comments made within this response relate to the design of the proposal to promote positive outcomes but do not cover the principle of development. Place Development are happy to discuss the nature/detail of these comments. Should this outline application be approved we would advocate, in the development of reserved matters that the applicant follow the 'design process' advocated within the Local Design Guide SPD (available at Supplementary planning documents - Stockton-on-Tees Borough Council) and provide relevant supporting information which would include a design process checklist or Building for a Healthy Life Assessment.

Whilst it is noted that matters such as the design and construction of the development to be considered at the reserved matters stage the applicant has submitted information in accordance with the application; Self-build design guide; Plot parameters plan; Plot height plan, Indicative layout / elevation plans for specific plots

Combined these documents outline a robust approach to ensuring a plots could be brought forward in a manner that reflects the surrounding context and character of the area, and deliver a well-designed and attractive development.

14. Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however 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.

15. National Gas Transmission

Regarding planning application 25/1514/OUT, there are no National Gas Transmission assets in this area.

16. National Grid

Regarding planning application 25/1514/OUT, there are no National Grid Electricity Transmission assets affected in this area.

17. Northumbrian Water Limited

In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>. We note that the applicant intends to submit a pre-planning enquiry request to us. We advise that this is undertaken, and the drainage strategy revised accordingly if necessary to ensure that the most appropriate connection points and discharge rates are utilised. Therefore, at this time we request a condition to secure the details.



NB Since the receipt of this response NWL have considered the pre-planning enquiry and confirmed they have capacity to receive the flows if required.

18. Natural England

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted..

19. Tees Archaeology

Thank you for the consultation on this application. We note the submission of an archaeological desk-based assessment, which concludes that there is the potential for medieval and/or post-medieval remains to be present on site. As such, we would ask that the site is subject to an evaluation to establish the presence/absence of archaeological remains across the site, along with their level of preservation and significance. Further mitigation work may be necessary following the evaluation, depending on the results. Following discussions with the applicant, we have agreed that the archaeological works can be conditioned on the outline application in this instance. However, as the proposals are for self-build plots, this archaeological condition should cover both the evaluation works and any potential mitigation necessary to ensure that any archaeological remains uncovered are dealt with as a whole rather than in a piecemeal manner with each plot. We therefore recommend a condition:

20. Highway England

Notice is hereby given that National Highways' formal recommendation is that we offer no objection

21. Cleveland Police (summarised)

Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED). I would like to make you aware that Cleveland Police operate the "Secured by Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. Should permission be granted, I recommend developer/s actively seek Secured by Design accreditation, full information is available within the SBD Residential Guide 2025 Guide at [www.securedbydesign.com](http://www.securedbydesign.com) I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour. Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

22. Chief Fire Officer (Cleveland Fire Brigade)

Cleveland Fire Brigade offers the following representations regarding the development as proposed. The distance from Plot 6 to the adopted highway shaded grey exceeds the 45m outlined in AD B Vol 1 Section B5 Para 13.1. As a result, fire appliances will need access via what appears to be a private drive for plots 3-6. The turning facilities

provided satisfy the requirements of AD B Vol 1 Section B5 Para 13.4, however it must be ensured that the building materials used can withstand vehicle weight of 18 tonnes, as Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1.

Access and Water Supplies should meet the requirements as set out in:

Approved Document B, Volume 1:2019, Section B5 for Dwellings.

Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 1 Section B5 Table 13.1.

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.

23. NHS

Thank you for the attached application. The NHS ICB NENC will not be making a comment as the number of dwellings is below the threshold we apply for S106 funding.

24. PADHI Health & Safety Executive

Does Not Cross Any Consultation Zones

### Publicity

25. Neighbours were notified and the application was advertised on site and in the local press. 48 letters of objection and 2 letters offering general comments were received with the main objections summarised below. The full details of the objections can be viewed online at <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

- Conflict with the Stockton-on-Tees Local Plan (2019) as the site lies outside defined development limits and is not allocated for housing.
- Previous applications on the same site were refused for similar reasons.
- Approval would undermine the integrity of the Local Plan and set a precedent for further development.
- Adverse impact on the Green Wedge and Wolviston's distinct village character and heritage:
- The development would erode the green buffer between Wolviston and Billingham.
- contrary to NPPF which seeks to protect the intrinsic character and beauty of the countryside.
- Impact on Heritage and Conservation:
- Concern over layout
- Inadequate heritage assessment and lack of archaeological field evaluation.
- The roads in Wolviston Village are ill-designed to take construction traffic
- The access is unsuitable and should be swapped to Wolviston Road
- Manor Close is a narrow cul-de-sac with poor visibility and limited turning space.
- Proposed access would more than double traffic on an unsuitable road.
- Construction traffic poses safety risks and potential damage to road surfaces.
- Cleveland Fire Brigade raised concerns about emergency access.
- Construction vehicle site traffic should be prohibited during school times.
- The site is at high risk of surface water flooding.
- The entrance to Manor Close floods regularly

- Existing drainage infrastructure is inadequate.
- Local schools are already oversubscribed., Increased pressure on medical services.
- Concerns over Biodiversity Loss:
- Off-site compensation is uncertain and delayed.
- Contradictions between ecological assessments raise concerns about reliability.
- Climate and Transport Sustainability:
- Wolviston has poor public transport links, increasing car dependency.
- The proposal conflicts with national and local sustainability goals.
- Risk of prolonged construction period with multiple builders.
- Lack of clarity and enforceability around design constraints (height, materials, etc.).
- No on-site affordable housing provision; commuted sum offered instead.
- Scheme appears to target executive housing, not addressing local housing needs.
- Questions over land ownership and legality of access works
- Restrictive Covenants:
- Inadequate public engagement and notification.
- Concerns about cumulative impact with the proposed Miller Homes development.
- Developer-Funded Assessment Bias as all technical assessments submitted with this application have been commissioned and paid for by the developer, creating a conflict of interest
- With an ageing population there is a dearth of suitable bungalows.

### Planning Policy Considerations

26. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
27. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

#### National Planning Policy Framework

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

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### Local Planning Policy

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

#### Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.
3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:
  - Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or, Specific policies in that Framework indicate that development should be restricted.

#### Strategic Development Strategy Policy 3 (SD3) - Housing Strategy

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land. Should it become apparent that a five year supply of deliverable housing land cannot be identified at any point within the plan period, or delivery is consistently falling below the housing requirement, the Council will work with landowners, the development industry and relevant stakeholders and take appropriate action in seeking to address any shortfall.
2. The following are priorities for the Council:
  - a. Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision; this includes the provision of housing to meet the needs of the ageing population and those with specific needs.
  - b. Providing accommodation that is affordable.
  - c. Providing opportunities for custom, self-build and small and medium sized house builders.
3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through:
  - a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (as identified on the Policies Map) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include: Queens Park North, Victoria Estate, Tees Marshalling Yard and Land off Grange Field Road
  - b. Supporting residential development on sites within the conurbation as defined by the limits to development which comprises the main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm.

- c. Creating a Sustainable Urban Extension to West Stockton.
- d. Promoting major new residential development at Wynyard leading to the area becoming a sustainable settlement containing general market housing and areas of executive housing in a high-quality environment.
- e. Supporting residential development in villages (as shown on the Policies Map) through the recognition of existing commitments and new build within the limits to development where the land is not allocated for another purpose.
- 4. New dwellings within the countryside will not be supported unless they:
  - a. Are essential for farming, forestry or the operation of a rural based enterprise; or
  - b. Represent the optimal viable use of a heritage asset; or
  - c. Would re-use redundant or disused buildings and lead to an enhancement of the immediate setting; or
  - d. Are of an exceptional quality or innovative nature of design. Such a design should:
    - i. be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
    - ii. reflect the highest standards in architecture;
    - iii. significantly enhance its immediate setting; and
    - iv. be sensitive to the defining characteristics of the local area.

#### Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

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

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:
  - a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
  - b) Protecting and enhancing designated sites (including the Teesmouth and Cleveland Coast Special Protection Area and Ramsar) and other existing resources alongside the provision of new resources.
  - c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
  - d) Enhancing woodlands and supporting the increase of tree cover where appropriate.
  - e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.
  - f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.
  - j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.
  - l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.
2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:
  - a. Directing development in accordance with Policies SD3 and SD4.
  - b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.



- c. Supporting sustainable water management within development proposals.
  - d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.
  - e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.
  - f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.
  - g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.
  - h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.
3. Conserve and enhance the historic environment through a variety of methods including:
- a. Celebrating, promoting and enabling access, where appropriate, to the historic environment.
  - b. Ensuring monitoring of the historic environment is regularly undertaken.
  - c. Intervening to enhance the historic environment especially where heritage assets are identified as being at risk.
  - d. Supporting proposals which positively respond to and enhance heritage assets.
  - e. Recognising the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution.

#### Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:
- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
  - b. Landscape character of the area, including the contribution made by existing trees and landscaping;
  - c. Need to protect and enhance ecological and green infrastructure networks and assets;
  - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
  - e. Privacy and amenity of all existing and future occupants of land and buildings;
  - f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
  - g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
  - h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.
2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

#### Natural, Built and Historic Environment Policy 1 (ENV1) - Energy Efficiency

1. The Council will encourage all development to minimise the effects of climate change through meeting the highest possible environmental standards during construction and occupation.

The Council will:

- a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:
    - i. Energy reduction through 'smart' heating and lighting, behavioural changes, and use of passive design measures; then,
    - ii. Energy efficiency through better insulation and efficient appliances; then,
    - iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then
    - iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then
    - v. Conventional energy.
  - b. Require all major development to demonstrate how they contribute to the greenhouse gas emissions reduction targets set out in Stockton-on-Tees' Climate Change Strategy 2016; and
  - c. Support and encourage sensitive energy efficiency improvements to existing buildings.
2. Proposals are encouraged where development:
- a. Incorporates passive design measures to improve the efficiency of heating, cooling and ventilation; and
  - b. Includes design measures to minimise the reliance on artificial lighting through siting, design, layout and building orientation that maximises sunlight and daylight, passive ventilation and avoids overshadowing.

Domestic

3. All developments of ten dwellings or more, or of 1,000 sq m and above of gross floor space, will be required to:
- a. Submit an energy statement identifying the predicted energy consumption and associated CO<sub>2</sub> emissions of the development and demonstrating how the energy hierarchy has been applied to make the fullest contribution to greenhouse gas emissions reduction; and
  - b. Achieve a 10% reduction in CO<sub>2</sub> emissions over and above current building regulations. Where this is not achieved, development will be required to provide at least 10% of the total predicted energy requirements of the development from renewable energy sources, either on site or in the locality of the development.

#### Natural, Built and Historic Environment Policy 4 (ENV4) - Reducing and Mitigating Flood Risk

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.
3. Site specific flood risk assessments will be required in accordance with national policy.
4. All development proposals will be designed to ensure that:
  - a. Opportunities are taken to mitigate the risk of flooding elsewhere;
  - b. Foul and surface water flows are separated;
  - c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and

- d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.
5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:
  - a. To an infiltration or soak away system; then,
  - b. To a watercourse open or closed; then,
  - c. To a sewer.
6. Disposal to combined sewers should be the last resort once all other methods have been explored.
7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.
8. Within critical drainage areas or other areas identified as having particular flood risk issues the Council may:
  - a. Support reduced run-off rates.
  - b. Seek contributions, where appropriate, towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.
9. Sustainable Drainage Systems (SuDS) should be provided on major development (residential development comprising 10 dwellings or more and other equivalent commercial development) unless demonstrated to be inappropriate. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance.

Natural, Built and Historic Environment Policy 5 (ENV) - Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity

1. The Council will protect and enhance the biodiversity and geological resources within the Borough. Development proposals will be supported where they enhance nature conservation and management, preserve the character of the natural environment and maximise opportunities for biodiversity and geological conservation particularly in or adjacent to Biodiversity Opportunity Areas in the River Tees Corridor, Teesmouth and Central Farmland Landscape Areas.
2. The Council will preserve, restore and re-create priority habitats alongside the protection and recovery of priority species.
3. Ecological networks and wildlife corridors will be protected, enhanced and extended. A principal aim will be to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats.
4. Sites designated for nature or geological conservation will be protected and, where appropriate enhanced, taking into account the following hierarchy and considerations:
  - a. Internationally designated sites - Development that is not directly connected with or necessary to the management of the site, but which is likely to have a significant effect on any internationally designated site, irrespective of its location and when considered both alone and in combination with other plans and projects, will be subject to an Appropriate Assessment. Development requiring Appropriate Assessment will only be allowed where:



i. It can be determined through Appropriate Assessment, taking into account mitigation, the proposal would not result in adverse effects on the site's integrity, either alone or in combination with other plans or projects; or ii. as a last resort, where, in light of negative Appropriate Assessment there are no alternatives and the development is of overriding public interest, appropriate compensatory measures must be secured.

b. Nationally designated sites - Development that is likely to have an adverse effect on a site, including broader impacts on the national network of Sites of Special Scientific Interest (SSSI) and combined effects with other development, will not normally be allowed. Where an adverse effect on the site's notified interest features is likely, a development will only be allowed where:

i. the benefits of the development, at this site, clearly outweigh both any adverse impact on the sites notified interest features, and any broader impacts on the national network of SSSI's;

ii. no reasonable alternatives are available; and

iii. mitigation, or where necessary compensation, is provided for the impact.

c. Locally designated sites: Development that would have an adverse effect on a site(s) will not be permitted unless the benefits of the development clearly outweigh the harm to the conservation interest of the site and no reasonable alternatives are available. All options should be explored for retaining the most valuable parts of the sites interest as part of the development proposal with particular consideration given to conserving irreplaceable features or habitats, and those that cannot readily be recreated within a reasonably short timescale, for example ancient woodland and geological formations. Where development on a site is approved, mitigation or where necessary, compensatory measures, will be required in order to make development acceptable in planning terms.

5. Development proposals should seek to achieve net gains in biodiversity wherever possible. It will be important for biodiversity and geodiversity to be considered at an early stage in the design process so that harm can be avoided and wherever possible enhancement achieved (this will be of particular importance in the redevelopment of previously developed land where areas of biodiversity should be retained and recreated alongside any remediation of any identified contamination). Detrimental impacts of development on biodiversity and geodiversity, whether individual or cumulative should be avoided. Where this is not possible, mitigation and lastly compensation, must be provided as appropriate. The Council will consider the potential for a strategic approach to biodiversity offsetting in conjunction with the Tees Valley Local Nature Partnership and in line with the above hierarchy.

6. When proposing habitat creation it will be important to consider existing habitats and species as well as opportunities identified in the relevant Biodiversity Opportunity Areas. This will assist in ensuring proposals accord with the 'landscape scale' approach and support ecological networks.

7. Existing trees, woodlands and hedgerows which are important to the character and appearance of the local area or are of nature conservation value will be protected wherever possible. Where loss is unavoidable, replacement of appropriate scale and species will be sought on site, where practicable.

#### Natural, Built and Historic Environment Policy 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

1. Through partnership working, the Council will protect and support the enhancement, creation and management of all green infrastructure to improve its quality, value, multi-functionality and accessibility in accordance with the Stockton-on-Tees Green Infrastructure Strategy and Delivery Plan.

2. Where appropriate, development proposals will be required to make contributions towards green infrastructure having regard to standards and guidance provided within the Open Space, Recreation and Landscaping SPD or any successor. Green infrastructure should be integrated, where practicable, into new developments. This includes new hard and soft landscaping, and other types of green infrastructure. Proposals should illustrate how the proposed development will be satisfactorily integrated into the surrounding area in a manner appropriate to the surrounding townscape and landscape setting and enhances the wider green infrastructure network.
3. The Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. The loss of open space as shown on the Policies Map, and any amenity open space, will not be supported unless:
  - a. it has been demonstrated to be surplus to requirements; or
  - b. the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - c. the proposal is for another sports or recreational provision, the needs for which, clearly outweigh the loss; or
  - d. the proposal is ancillary to the use of the open space; and
  - e. in all cases there would be no significant harm to the character and appearance of the area or nature conservation interests.
4. Development within green wedges will only be supported where:
  - a. it would not result in physical or visual coalescence of built-up areas;
  - b. it would not adversely impact on local character or the separate identity of communities;
  - c. it would not adversely impact on recreational opportunities; and
  - d. it would not adversely impact on biodiversity.
5. Development proposals will be expected to demonstrate that they avoid the 'best and most versatile' agricultural land unless the benefits of the proposal outweigh the need to protect such land for agricultural purposes. Where significant development of agricultural land is demonstrated to be necessary, proposals will be expected to demonstrate that they have sought to use areas of lower quality land in preference to that of a higher quality.

#### Natural, Built and Historic Environment Policy 7 (ENV7) - Ground, Air, Water, Noise and Light Pollution

1. All development proposals that may cause groundwater, surface water, air (including odour), noise or light pollution either individually or cumulatively will be required to incorporate measures as appropriate to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings, the character and appearance of the surrounding area and the environment.
2. Development that may be sensitive to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive developments or areas unless satisfactory mitigation measures can be demonstrated.
3. Where development has the potential to lead to significant pollution either individually or cumulatively, proposals should be accompanied by a full and detailed assessment of the likely impacts. Development will not be permitted when it is considered that unacceptable effects will be imposed on human health, or the environment, taking into account the cumulative effects of other proposed or existing sources of pollution in the vicinity. Development will only be approved where suitable mitigation can be achieved that would bring pollution within acceptable levels.

4. Where future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must demonstrate via site investigation/assessment that:
  - a. Any issues will be satisfactorily addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health and the environment; and
  - b. Demonstrate that development will not cause the site or the surrounding environment to become contaminated and/or unstable.
5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.
6. To improve the quality of the water environment the Council will:
  - a. Support ecological improvements along riparian corridors including the retention and creation of river frontage habitats;
  - b. Avoid net loss of sensitive inter-tidal or sub-tidal habitats and support the creation of new habitats; and
  - c. Protect natural water bodies from modification, and support the improvement and naturalisation of heavily modified water bodies (including de-culverting and the removal of barriers to fish migration).

#### Housing Policy 4 (H4) - Meeting Housing Needs

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of appropriate sizes, types and tenures which reflects local needs and demand, having regard to the Strategic Housing Market Assessment, its successor documents or appropriate supporting documents.
2. Support will be given to higher density development within areas with a particularly high level of public transport accessibility. Elsewhere housing densities will be considered in the context of the surrounding area in accordance with Policy SD8.
3. The Council require 20% of new homes to be affordable on schemes of more than 10 dwellings or with a combined gross floorspace of above 1000sqm.
5. Affordable housing will normally be provided on-site as part of, and integrated within housing development to help deliver balanced communities. This provision should be distributed across sites in small clusters of dwellings. Off-site affordable housing or a commuted sum will only be acceptable where:
  - a. All options for securing on-site provision of affordable housing have been explored and exhausted; or
  - b. The proposal is for exclusively executive housing, where off-site provision would have wider sustainability benefits and contribute towards the creation of sustainable, inclusive and mixed communities; or
  - c. The proposal involves a conversion of a building which is not able to accommodate units of the size and type required; or
  - d. Any other circumstances where off-site provision is more appropriate than on-site provision.
6. Where off-site affordable housing or a commuted sum is considered acceptable, the amount will be equivalent in value to that which would have been viable if the provision was made onsite and calculated with regard to the Affordable Housing Supplementary Planning Document 8 or any successor.
9. To ensure that homes provide quality living environments for residents both now and in the future and to help deliver sustainable communities, from the 1st April 2019 the

following Optional Standards will apply, subject to consideration of site suitability, the feasibility of meeting the standards (taking into account the size, location and type of dwellings proposed) and site viability:

a. 50% of new homes to meet Building Regulation M4 (2) "Category 2 - accessible and adaptable dwellings".

b. 8% of new dwellings to meet Building Regulation M4(3) "Category 3 - Wheelchair User Dwellings". Where the local authority is responsible for allocating or nominating a person to live in that dwelling, homes should meet building regulation M4 (3) (2) (b).

When providing for wheelchair user housing, early discussion with the Council is required to obtain the most up-to-date information on specific need in the local area.

10. To widen the overall housing offer, the Council will support the delivery of custom and selfbuild housing. The Council will:

a. Regularly monitor the demand for custom and self-build housing and assist in facilitating the delivery of land/sites, where appropriate.

b. Encourage applicants to consider incorporating plots for custom and self-build housing within larger housing developments.

11. Planning applications for student accommodation in the Regenerated River Tees Corridor will be required to demonstrate they are compatible with the wider regeneration of the area and are conveniently located for access to relevant education establishments and local facilities. In all cases, proposals for student accommodation will be designed to ensure that they are in keeping with the character and appearance of the area in which they are located, do not have an unacceptable impact on the living conditions of neighbouring communities, provide an adequate standard of living accommodation for potential future occupants, and have an internal layout which is adaptable to alternative residential uses.

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

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

2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment that describes the significance of the asset(s) affected, including any contribution made by their setting. Appropriate desk-based assessment and, where necessary, field evaluation will also be required where development on a site which includes or has the potential to include heritage assets with archaeological interest. Applicants are required to detail how the proposal has been informed by assessments undertaken.

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

4. The loss of a heritage asset, in whole or part, will not be permitted unless the Council are satisfied that reasonable steps to ensure new development will proceed after loss has occurred.

5. Where the significance of a heritage asset is lost (wholly or in part) the Council will require developers to record and advance the understanding of the significance of the heritage asset in a manner proportionate to the importance of the asset and impact of the proposal. Recording will be required before development commences.

6. The following are designated heritage assets:

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

10. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to policies for designated heritage assets.

11. Where archaeological remains survive, whether designated or not, there will be a presumption in favour of their preservation in-situ. The more significant the remains, the greater the presumption will be in favour of this. The necessity for preservation in-situ will result from desk-based assessment and, where necessary, field evaluation. Where in-situ preservation is not essential or feasible, a programme of archaeological works aimed at achieving preservation by record will be required.

12. Any reports prepared as part of a development scheme will be submitted for inclusion on the Historic Environment Record.

## Material Planning Considerations

### Principle of development

31. The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and in particular those for achieving sustainable development. The three dimensions of sustainable development are economic, social and environmental. The NPPF also includes a number of core planning principles one of which is the need to identify and meet housing needs as well as respond positively to wider opportunities for growth. Paragraph 61 of the NPPF details the importance the Government attaches to boosting significantly the supply of housing.
32. In terms of local planning policies there are no specific designations which apply to this site other than the site lies outside the limits to development, consequently the site forms part of the open countryside. Policy SD3 seeks to control development within the countryside beyond these limits and is restricted unless it meets certain criteria.
33. However, just because the site is outside the 'limits of development', the proposed development should not be ruled out purely on the grounds of falling outside the settlement boundary and there are other factors to be weighed in the overall balance which are considered in more detail below.
34. Comments that the site was not included in the plan are noted however, the land was considered as suitable in the Strategic Housing Land Availability Assessment, 2017 despite it not being taken forward at that time.

### Five Year housing supply

35. As members have previously been informed; the Council cannot demonstrate a 5 year supply and the application will need to be determined in accordance with Paragraph 11 of the NPPF which states *"for decision-taking this means approving development proposals that accord with the development plan without delay; where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless:*
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination"*.



36. Paragraph 232 of the NPPF states policies should not be considered out of date simply because they were adopted prior to the publication of the Framework and due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, i.e. the closer the policies in the plan to those in the Framework, the greater the weight that may be given. In terms of visual impact, policies to safeguard the countryside are relevant and are considered further below. These policies are broadly consistent with the Framework.
37. However the approach of Policy SD3 in seeking to control the principle of development beyond settlement boundaries is more restrictive than the approach set out in the Framework. The balancing of harm against benefit is a defining characteristic of the Framework's overall approach embodied in the presumption in favour of sustainable development. Because of this, where Policy SD3 is used to restrict housing, it cannot be seen to be consistent with the Framework and is therefore out of date and the proposal should therefore be assessed using the approach set out in the second bullet point of the decision-taking section of paragraph of the Framework and only if the Council is able to demonstrate harm which "significantly and demonstrably" outweighs the benefits of the development should consent be refused.

#### Self Build and Custom Build

38. Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of that Act to have regard to this and to give enough suitable development permissions to meet the identified demand.
39. Paragraph 73 of the NPPF states small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should amongst other requirements ... seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing. Local Plan Policy SD3 also supports this stating it is a priority for the council to provide opportunities for custom, self-build and small and medium sized house builders.

#### Sustainability

40. One of the core land-use planning principles, in the National Planning Policy Framework is "*the need for planning to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable*". Objections have been received from residents commenting that the site has no regular bus service/links and this development will put pressure on the services.
41. In terms of proximity to services, the site lies on the periphery of Wolviston which has a primary school, shop/post office and other service facilities such as a bakery/café and hair and beauty units, along with a public house and a church and a community centre. The site is also close to the existing settlement of Billingham to the south and east which has other facilities such as a secondary school, college and a large town centre. The proposed site is approximately 1km from the secondary school with adequate lit

footpaths to access this facility. There are also bus stops in close proximity with a service running between Stockton High Street, Billingham and Wynyard Village and Business Park.

42. In view of the proximity of reasonably accessible services and a choice of transport modes, it is considered that this site is in a sustainable location to support new development, and occupants would not necessarily need to solely rely on the private car.
43. Concerns have been raised regarding the impact of the scheme on local infrastructure, notably schools, doctors and dentists. However, notwithstanding the lack of objection from these bodies, or substantive evidence to suggest that their capacity is limited, no evidence has been put forward to state the services cannot cope with the development and no objections have been raised from the bodies responsible for these services and therefore it is considered that this in itself would not warrant refusal of the application.

#### Economic/Social Benefits

44. It is recognised that a key benefit of the proposed development would be that it contributes towards the boroughs 5 year housing land supply, as well providing contributions for affordable housing units. These have both social and economic benefits as set out within the three elements of the definition of sustainable development. Furthermore, the development would provide a number of jobs in the construction industry and supply chain in the short term and such benefits are consistent with the aims of the NPPF in supporting economic growth.

#### Visual Implications/Character of the area

45. The application site is a paddock to the South of Wolviston village which is enclosed on all boundaries by significant landscaping. When viewing the site from the main vantage points, Wolviston road to the east of the site is heavily screened and the impact on the character will not be perceivable. The fields to the south and east are separated by hedges and planting adding to the screening of the proposal and whilst visually there will be additional built form this will be seen in the context of the residential developments in Wolviston.
46. There will be some change for the residents of Manor Close whose outlook will be altered however in terms of the wider character, it is not considered that this development would have such a significant adverse effect to warrant refusal of the application on these grounds subject to conditions retaining existing landscaping.
47. In terms of Coalescence, Policy SD5 seeks to “*ensure any new development within the countryside retains the physical identity and character of individual settlements*”. The proposed development site is within a gap to the south of Wolviston and this development would reduce this southern gap to approx. 400m. It is however considered that this separation is sufficient to maintain a clear gap and the separate identity of the two settlements, especially given the existing wooded valley of Cowbridge Beck and the other existing tree belts that cross this area and effectively prevent views between Wolviston and Billingham.

#### Heritage matters/features of archaeology interest

48. Wolviston Conservation area is located to the north and is concentrated along the High Street and around The Green. There have been several developments within Wolviston which gives a more modern feel to the edge, with developments in Manor Close and Manor Court to the north of this site being built in the 1970s, following the demolition of Wolviston Hall, developments in the High Street opposite built after the 1980s and more modern developments beyond the northern boundaries of the village being built from the 1970/1990s onwards. Whilst this proposal does extend Wolviston village it is considered due to the intervening modern developments that the proposal does not have an adverse impact on the character or appearance of the conservation area.
49. In addition, there are no listed buildings nearby that would be affected by the development it is therefore considered that there are no adverse impacts on heritage.
50. In terms of Archaeology, the application is supported by a Desk-Based Assessment which sets out that archaeological features or deposits at the site are not expected to be more than local significance. Tees Archaeology have considered the documents has requested that the site is subject to an evaluation to establish the presence/absence of archaeological remains across the site, along with their level of preservation and significance and have agreed that the archaeological works can be conditioned on the outline application in this instance.

#### Proposed Development / Layout

51. The proposed development is supported by an indicative site plan showing 11 plots designed to each accommodate 1no. detached dwelling. Overall parameters in a design brief have been provided however there are a number of concerns particularly in relation to the impact from trees and the scale of the dwellings as there are limited 2.5 storey dwellings in the village. Nonetheless these plans are indicative and once further assessments have been undertaken this will finalise the quantum of development that the site can achieve. It is possible that the proposed numbers will reduce once the work has been undertaken. However, as this is in outline to establish the principle of up to 11 dwellings with only access being considered in full, it is considered that these assessments can be undertaken prior to the submission of full details of each house and plot layout which will be provided at reserved matters stage.
52. Comments regarding the layout are noted however as detailed above these are only indicative and the siting and positioning will be considered at each stage.
53. Policy ENV 1 requires that all developments of ten dwellings or more will be required to submit an energy statement identifying the predicted energy consumption and associated CO2 emissions of the development and demonstrating how the energy hierarchy has been applied to make the fullest contribution to greenhouse gas emissions reduction. In addition to achieving a 10% reduction in CO2 emissions over and above current building regulations, or where this is not achieved, to provide at least 10% of the total predicted energy requirements of the development from renewable energy sources, either on site or in the locality of the development. Whilst this is in outline a condition has been recommended to ensure this is delivered.
54. Local Plan Policy H4 requires that 20% of new homes are to be affordable on schemes of more than 10 dwellings or where the floor space exceeds 1000 sq metres and requires affordable housing to be provided on-site. Off-site affordable housing or a



commuted sum will only be acceptable where it meets certain criteria. Given the nature of the scheme refers to self-build plots it is not considered that delivering affordable housing on site would be appropriate, as such a commuted sum has been requested and will be Secured via a section 106. This approach is supported by private sector housing.

55. Policy H4 requires development to provide a proportion of M4(3) and M4(4) dwellings, however as this is a development for self or custom build and not general market dwellings it is not considered feasible or reasonable to require individuals to provide these dwellings. Building Control will ensure the development complies with the requirements in force at that time.
56. Comments from Cleveland Fire Brigade and Cleveland Police are noted and have been passed to the applicant for information.

#### Impacts on Amenity

57. To the north of the application site are residential premises and whilst it is accepted that there would be short term impacts due to noise and construction it is considered that these would be adequately controlled through the provision of a construction management plan and the restriction on working hours. In terms of delivery of the houses this cannot be controlled and is largely down to market forces, however each plot will have its own CMP and a phasing plan will ensure the infrastructure for the site is delivered in a timely manner.
58. In terms of separation distances the development could be laid out so as not to have an adverse impact on neighbouring properties and it is therefore considered that the proposal could be implemented without having a significant adverse impact on privacy or amenity for neighbouring residential properties but this will be considered at reserved matters stage.

#### Highway safety/Transport impacts

59. In terms of traffic impact on the road network, the development has been considered by the Highways Transport and Design Manager who has confirmed that it cannot be reasonably demonstrated that the residual cumulative impacts on the road network, would be severe, taking into account all reasonable future scenarios.
60. The proposed development is to take access from Manor Close, meaning the road would serve upto 20 properties, including the existing 9 dwellings. Manor Close is a residential cul-de-sac which currently serves 9 dwellings that benefits from a footway along the one side and a minimum carriageway width of 4.8m which is adequate for two vehicles to pass each other and is therefore whilst objection are noted the, the road is considered suitable to provide access to the proposed additional 11 dwellings.
61. Car parking and vehicular access for each plot will be considered at reserved matters stage to ensure the development complies with the adopted SPD for Car parking.
62. Overall it is considered that the development would not have an adverse impact in terms of pedestrian or highway safety.

### Flood risk

63. The application site is in flood zone 1 where development should be directed, however there is a small area to the North East of the site where the Environment Agency maps indicate that surface water flooding could occur.
64. The application is accompanied by a Flood risk assessment and a drainage strategy and it is considered that a scheme could be implemented that would ensure no surface water flooding would occur or be increased, as this is an outline application these details will be secured at the reserved matters stage.
65. The Lead Local Flood Authority and Northumbrian Water have considered the proposals and raised no objections subject to conditions which are being recommended.

### Ecology/Biodiversity

66. A Preliminary Ecological Appraisal (PEA) accompanies the application. The site was found to be of low ecological value, with low suitability for nesting birds, foraging bats, hedgehogs and GCN. The report includes a series of ecological mitigation and enhancement measures to be incorporated into the works such as precautionary working methods during construction and the inclusion of bat/bird boxes during development. These recommendations have been conditioned
67. In terms of biodiversity net gain, A Biodiversity Net Gain (BNG) Baseline and Feasibility Report was also prepared to support the application. A BNG baseline of the site for on-site habitat units equated to 1.72, primarily consisting of modified grassland, with this reducing to 0.76 units post-development, a net loss of 55.65%. Whilst an on-site net gain was considered unlikely to be able to be achieved the client possesses land off-site and consequently an off-site assessment considered that the off-site baseline was 2.8 units, increasing to 4.06 units post-development. This equates to a net gain of 1.26 units (44.93%). Combined, the proposals therefore result in a total net gain of 0.3 habitat units (17.33%). The plan has been reviewed and sufficiently demonstrates that the scheme can achieve the mandatory 10% to be provided and conditions have been recommended to secure this.
68. With regards to Nutrient Neutrality, the site is exempt, as the Wolviston sewer system flows into Billingham treatment works, which flows directly into the North Sea (bypassing the River Tees). Mitigation measures to address nutrient neutrality are therefore not considered to be required.

### Residual matters

69. Concerns have been raised with regards to land ownership. The application site utilises an area of adopted highway. The adopted Highway ends at the existing gate, matters of ownership in relation to this fence/gate or any covenants on the land are civil matters and cannot be considered as part of this application.

## Planning Balance

70. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Council cannot demonstrate a five-year supply of deliverable housing sites. As such, in accordance with the Framework, the policies which are most important for determining the application are out-of-date and permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
71. The Framework requires weight to be given to conserving and enhancing landscape. In this instance, the harm arising from the development would be limited and localised, for the reasons set out above. Set against this harm is the delivery of much needed housing in a broadly sustainable location with a good level of accessibility to public transport links and services and facilities by means other than the private motor vehicle.
72. The development would bring economic benefits in terms of construction jobs. Taken together, and in light of the scale of the proposal for new self build homes, these benefits attract moderate weight.
73. Overall, it is considered that the identified harm would not significantly and demonstrably outweigh the benefits of the proposal. Accordingly, the application is recommended for approval.

## Conclusion

74. In view of the considerations set out within this report, the application is recommended to Approved with Conditions.

**Financial Implications:** No cost to the Council.  
Contributions to Affordable housing

**Environmental Implications** As detailed in the report

**Legal Implications** None

## Community Safety Implications

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

## Human Rights Implications

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

## Ward and Ward Councillors

Ward	Billingham West & Wolviston
Ward Councillor	Councillor David Reynard
Ward Councillor	Councillor Marcus Vickers

## Background Papers

National Planning Policy Framework

National Planning Practice Guidance  
Stockton on Tees Local Plan Adopted 2019  
Application file

Name of Contact Officer: Elaine Atkinson

Post Title: Principal Planning Officer

Telephone number: 01642 526062

Email Address: [Elaine.Atkinson@stockton.gov.uk](mailto:Elaine.Atkinson@stockton.gov.uk)

Application 25/1514/OUT

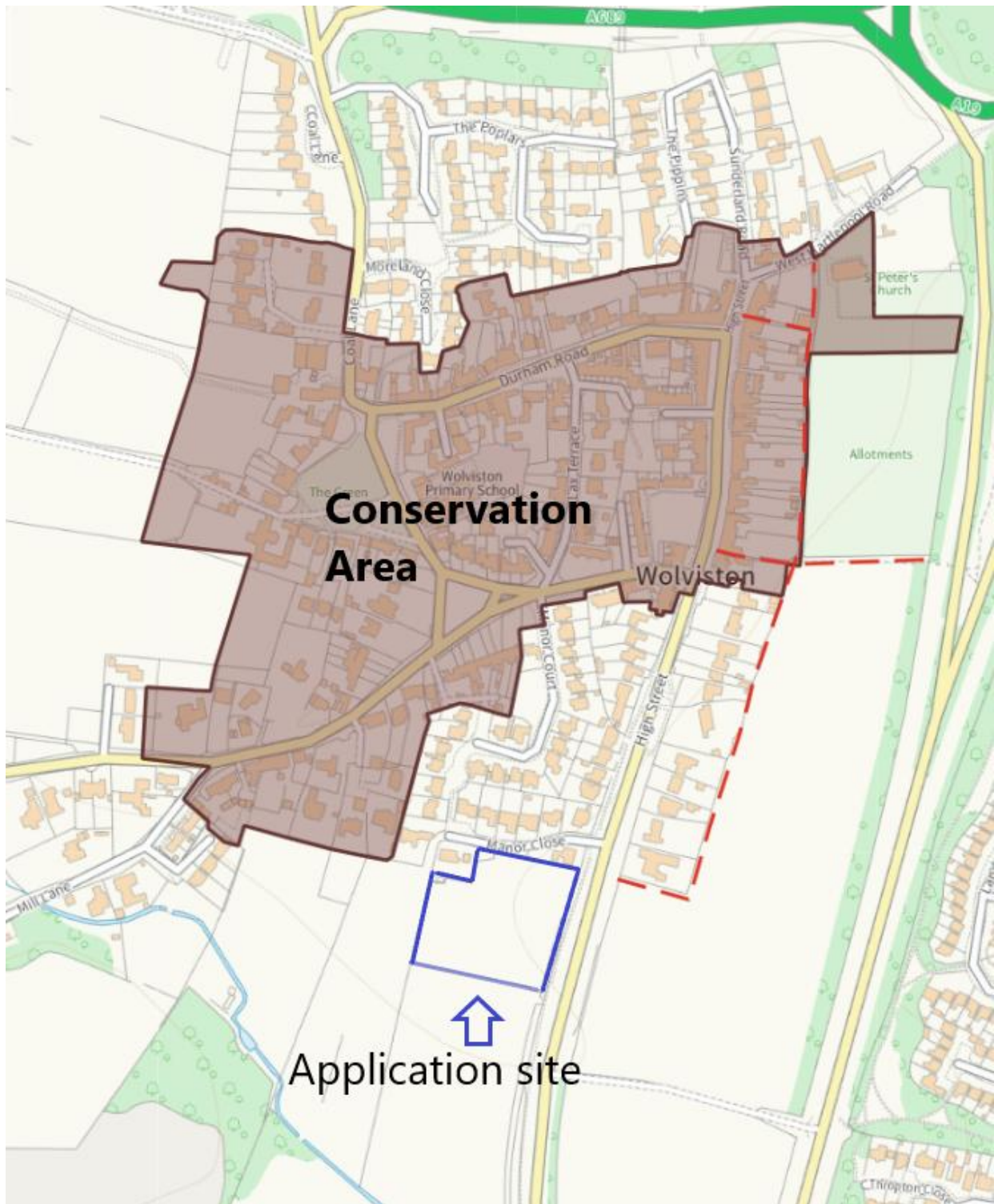
Land South of Manor Close, Wolviston, TS22 5QA

Appendix 1: Location Plan



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**DELEGATED**

Report to Planning Committee

5 November 2025

Report of Director of Regeneration and Inclusive Growth

**25/0777/LA****Roundabout At Junction with Bader Avenue, Thornaby Road, Thornaby****Expiry Date: 31 July 2025****Extension of Time Date: 6 November 2025****Summary**

Planning permission is sought for the provision of a new footpath and cycleway as part of a wider pedestrian/cycle network improvement scheme across the Borough.

No letters of objection have been received following neighbour consultations. No objections have been raised by statutory consultees. Support has been received from Councillor Moore.

The application site relates to the outer section of recreational field associated with the Harold Wilson Centre. The site is recognised to be designated playing fields and open space; however, the proposal relates to the provision of a new pedestrian and cycle route and therefore draws support from Local Plan Policies.

The application has been assessed in full, and it is 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 are no technical reasons why the proposed scheme would be deemed unacceptable in planning terms in which to justify refusal of the application.

In accordance with the Councils scheme of delegation, the application is to be determined by Planning Committee as the application is Local Authority development with a total site area of over 500 square metres.

**Recommendation(s)**

That planning application 25/0777/LA be approved subject to the following conditions;

**Time Limit**

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

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

**Approved Plans**

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

**Plan Reference Number**

65211061-SLD-XX-HLG-DR-EO-1317 REV T01  
65211061-SWE-ZZ-00-D-H-00117-P01

**Date Received**

15 September 2025  
10 April 2025

65211061-SWE-SC-00-D-Z-00217-P01  
65211061-SWE-LE-00-D-L-03017-C01  
65211061-SWE-KF-00-D-H-11017-P01  
65211061-SWE-DG-00-D-H-00517-P01  
SBC0001

10 April 2025  
22 September 2025  
10 April 2025  
10 April 2025  
20 May 2025

Reason: To define the consent.

### Site Levels

- 03 Notwithstanding the details within the approved plans and prior to the commencement of the development hereby approved, details of the existing and proposed levels of the site including sectional and elevation drawings, which detail the level change treatment between the existing footpath and embankment shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

### Construction Hours

- 04 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.

Reason: To protect the residential amenity of existing residents from the development during construction works, in accordance with Policy SD8 and ENV7 of the Stockton-on-Tees Local Plan and Part 12 of the National Planning Policy Framework.

### Unexpected Land Contamination

- 05 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.

Reason: To ensure any unknown contaminative features encountered during the development are investigated and remediated to an acceptable standard, in line with Policy ENV7 of the Stockton on Tees Local Plan and Chapter 14 of the National Planning Policy Framework.

## Biodiversity Net Gain

- 06 The development hereby permitted shall be carried out in accordance with the submitted Biodiversity Net Gain Assessment, submitted 10 April 2025 (project ref 65211061) 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 shall commence until a Biodiversity Management and Monitoring Plan 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.

**Reason:** In the interests of ensuring measurable net gains to biodiversity and allow the LPA to discharge its duties in accordance with Policies SD5, SD8 and ENV5 of the Stockton-on-Tees Local Plan and Part 15 of the National Planning Policy Framework.

## Informative 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: Secure by Design (Cleveland Police)

Cleveland Police encourage the applicant to build/refurbish developments incorporating the guidelines of [Crime Prevention Through Environmental Design](#) (CPTED).

## Site and Surroundings

1. The application site lies to the southwest of the 'Spitfire' roundabout of the junction of Bader Avenue and Thornaby Road, on the open space associated with the Harold Wilson Recreation Centre, which lies to the south of the site.
2. There is a grass verge and public footpath which abuts the highway and roundabout with an embankment which slopes down in level towards the recreational ground. There are a number of trees which line the sloping surface of the site with timber posts delineating the level surface of the open field.
3. The site lies within the defined settlement limits of the main conurbation and is designated playing fields and open space within the Stockton Local Plan.

## Proposal

4. Planning permission is sought for the provision of a new footpath and cycleway to be constructed along the edge of the field within the embankment together with associated landscaping and street lighting. The new footpath and cycleway will sit approximately 1.0m lower in level than the existing footpath.
5. The proposal is part of a wider pedestrian/cycle network improvement scheme across the Borough and involves the provision of new pedestrian/cycle safety features.

## Consultations

6. Consultees were notified, and the following comments were received.
7. Councillor Mick Moore  
I would like to support of the application 25/0777/LA for the construction of a footpath cycle route.
8. Active Travel  
No comments received.
9. Highways Transport and Design Manager  
Highways Comments: No objections  
Flood Risk & Drainage: No comment.
10. Environmental Health  
No objections subject to conditions for:  
Unexpected land contamination  
Construction/Demolition Noise
11. Sport England  
Sport England does not wish to raise an objection to this application.
12. Highways  
There are no highways objections to the proposals.
13. National Highways  
No comments.
14. Cleveland Police  
Application reference 27/0777/LA located at the A1045 and Bader Avenue, is situated within an active street frontage and, if the proposal was to be lit as above, it has much less chance of creating the problems associated with the other proposal (application reference 25/0759/LA)

## Publicity

15. A Site Notice was erected on 17th June 2025. Neighbours have been notified in writing of the proposals, and no comments have been received as a result of the consultation exercise.

## Planning Policy Considerations

16. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
17. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.



18. National Planning Policy Framework

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

**Paragraph 96** Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

(b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas;

**Paragraph 104** Existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:

(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

**Paragraph 109** Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

e) identifying and pursuing opportunities to promote walking, cycling and public transport use;

**Paragraph 135** Planning policies and decisions should ensure that developments:

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>51</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

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

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

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

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

#### Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

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

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:
  - a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:
  - a. Directing development in accordance with Policies SD3 and SD4.
  - b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.

#### Strategic Development Strategy Policy 6 (SD6) - Transport and Infrastructure Strategy

1. To provide realistic alternatives to the private car, the Council will work with partners to deliver a sustainable transport network. This will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users, and to local services, facilities and local amenities.
2. To ensure the road network is safe and there are reliable journey times, the Council will prioritise and deliver targeted improvements at key points on the local road network and work in conjunction with Highways England to deliver improvements at priority strategic locations on the strategic road network.

#### Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:
  - a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
  - b. Landscape character of the area, including the contribution made by existing trees and landscaping;
  - c. Need to protect and enhance ecological and green infrastructure networks and assets;
  - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;



- e. Privacy and amenity of all existing and future occupants of land and buildings;
- f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
- g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
- h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.

2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

#### Transport and Infrastructure Policy 1 (TI1) - Transport Infrastructure

##### Delivering A Sustainable Transport Network

1. To support economic growth and provide realistic alternatives to the private car, the Council will work with partners to deliver an accessible and sustainable transport network. This will be achieved through improvements to the public transport network and routes for pedestrians, cyclists and other users.

2. A comprehensive, integrated and efficient public transport network will be delivered by:

- a. Retaining essential infrastructure that will facilitate sustainable passenger movements by bus, rail and water;
- b. Supporting proposals for the provision of infrastructure which will improve the operation, punctuality and reliability of public transport services;

3. Accessible, convenient, and safe routes for pedestrians, cyclists and other users will be delivered by:

- a. Improving, extending and linking the Borough's strategic and local network of footpaths, bridleways and cycleways; and
- b. Improving the public realm and implementing streetscape improvements to ensure they provide a safe and inviting environment.

#### Natural, Built and Historic Environment Policy 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

1. Through partnership working, the Council will protect and support the enhancement, creation and management of all green infrastructure to improve its quality, value, multi-functionality and accessibility in accordance with the Stockton-on-Tees Green Infrastructure Strategy and Delivery Plan.

3. The Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. The loss of open space as shown on the Policies Map, and any amenity open space, will not be supported unless:

- a. it has been demonstrated to be surplus to requirements; or
- b. the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c. the proposal is for another sports or recreational provision, the needs for which, clearly outweigh the loss; or
- d. the proposal is ancillary to the use of the open space; and
- e. in all cases there would be no significant harm to the character and appearance of the area or nature conservation interests.

## Material Planning Considerations

21. The key considerations of this application are the principle of development, visual and landscape impact, amenity impact, highway implications, flood risk and drainage, biodiversity net gain and other residual matters

### Principle of Development

22. The application site lies within the development limits of the main conurbation and is designated playing fields and open space as allocated in the Stockton on Tees Local Plan.
23. Policy ENV6 (3) which specifically relates to open space states that the Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. It advises that the loss of any open space would not be supported unless the proposal is for another sport or recreational provision, the needs of which would clearly outweigh the loss, or the proposal is ancillary to the use of the open space. In all cases, it would need to be demonstrated that there would be no significant harm to the character and appearance of the area.
24. The site is also designated playing fields. Policy TI1 (6) states that development on existing sports and recreational buildings and land, including playing fields would be resisted, unless the development is for an alternative sports and recreational provision, where the needs for which, clearly outweighs the loss.
25. Policy SD6 relates to transport and infrastructure strategy and states that the Council will work with partners to deliver a sustainable transport network which will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users.
26. In this case, it is recognised that there would be a minor loss of the field to accommodate the development. The main aim of Policy ENV6 is to enhance and protect the Councils open space resource, however it is permissive of loss of space where the proposal is in relation to another sporting or recreational provision. In this case, the proposal would introduce a hard surface to improve pedestrian and cycle facilities which would broadly align with the aims of ENV6. Furthermore, the construction of the new footpath and cycleway is to the edge of the field, on the existing embankment therefore it would not impinge on the wider usability of the recreational space.
27. Sport England have been consulted as part of the application and have raised no objections in this regard. The proposal is part of a wider pedestrian/cycle network improvement scheme across the Borough and the benefits to be brought about such as improvements to the routes for pedestrians, cyclists and other users is wholly consistent with the aims of Policy SD6 and is considered to outweigh the minor harm in terms of the loss of open space.
28. Given the policy context above, the application is considered to be acceptable in principle subject to further material planning considerations as identified below.

### Visual and Landscape Impact

29. Paragraph 131 of the NPPF promotes the creation of high-quality buildings and places. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. With paragraph 135 requiring that developments should not only maintain

a strong sense of place but should improve the quality of the area. Developments should also be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

30. In addition, the Stockton on Tees Local Plan, encourages high standards of design through Policy SD8 which states that new development should be appropriate to the context of the surrounding area and be of an appropriate style, proportion, and materials.
31. The new footpath and cycleway will be constructed of appropriate materials of a typical nature associated with infrastructure development and will incorporate new street lighting and associated landscaping. It has been confirmed that the new footpath and cycleway will sit approximately 1.0m lower in level than the existing roadside, therefore there will be a degree of cut and fill to facilitate this. The embankment changes in level with the steepest section being just off the bend to the roundabout, however the level change eases off towards Bader Avenue and Thornaby Road.
32. Nevertheless, as demonstrated by the submitted drawings the development would result in an additional mound sitting adjacent to the existing embankment which is to be grassed and will maintain a verdant character. The terraced or tiered appearance is not considered to result in any significant adverse visual impacts, and a condition is recommended to secure the final details and to ensure that the proposals remain visually acceptable and would not adversely harm the character of the wider area.
33. In terms of existing trees, according to the submitted Landscaping layout plan there will be 6no trees removed from within the application boundary. Other tree removal works are to take place; however, they are outside of the jurisdiction of this application. The trees earmarked for removal are on Council owned land and aren't protected and whilst it is undoubtedly regrettable for their loss, the wider benefits of the proposal in terms of pedestrian/cyclist safety would be considered to outweigh this harm. Tree planting is proposed to replace lost trees and will be discussed further in the report.
34. On the whole and subject to condition to control the final detailing, the development would be acceptable in terms of design, scale and materials and would not adversely impact upon the character and appearance of the site and wider area. The proposal would therefore comply with Policies SD8 and ENV6 of the Stockton-on-Tees Local Plan and relevant design Chapters of the NPPF.

#### Amenity Impact

35. In respect of the neighbouring properties, planning policies SD3 and SD8 seek to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings, while guidance within the Householder Alterations and extensions SPD provides further clarity over the impacts that development can have on neighbouring occupiers.
36. Policy SD8 also states that proposals should be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
37. Chapter 12 of the NPPF seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
38. The closest residential properties to the site are those to the south of the roundabout along Thornaby Road and those of Bader Avenue. However, by virtue of the nature of the development, it is considered that there would be no further impact in term of loss of

privacy to occupiers of adjacent properties given the location of the existing footpath. While the introduction of the new paths may increase foot traffic and occasional congregation of users, its primary purpose is to provide safe, direct pedestrian and cycle access for local residents. Privacy of neighbours should not be adversely affected solely by the construction of the development proposed.

39. New street lighting is proposed as part of the scheme; however, it is recognised that there is already street lighting in this location, therefore the development should not exacerbate light pollution to the adjacent residential properties. The lighting should also act as a deterrent to any potential anti-social behaviour through users or groups gathering on the footpaths. It is also considered that the site is on an active street frontage therefore it is unlikely to result in anti-social behaviour. Cleveland Police have commented on the application and have raised no objection in this regard.
40. The Environmental Health Unit have been consulted and have raised no objection to the development subject to the inclusion of conditions relating to construction working hours and unexpected contaminated land. These conditions have duly been included.
41. Overall, based solely on the nature of the development proposed, it is considered that subject to appropriate conditions, the proposed development would not directly result in a loss of amenity to occupiers of neighbouring properties and therefore would not conflict with the policy aims of the Local Plan or the NPPF.

#### Highway implications

42. Local Plan Policy SD8 states that new development should be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport.
43. Paragraph 116 of the National Planning Policy Framework sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe.
44. The proposed development relates to improvements to pedestrian and cycle routes within the locale. The Highways Transport and Design Manager has reviewed the application and raise no objections to the proposed development.
45. Overall, the proposed development would comply with the provisions of SD8 as the development would result in improvements to pedestrian and cycle routes without causing detrimental harm to the wider road network. The proposal would not be deemed to result in an unacceptable impact which would be deemed a severe impact on highway safety or the wider road network, thereby according with Chapter 9 of the NPPF.
46. Accordingly, the proposal is deemed acceptable in terms of highway safety.

#### Flood Risk and Drainage

47. Stockton Local Plan Policy ENV4 advises that reducing and mitigating flood risk is an important issue for planning particularly as the effects of climate change are being realised. To ensure sustainable economic growth is achieved, it is essential that development (new and existing) is safe from flooding and incorporates approaches to reduce risk. When addressing flood risk, it is important to consider all sources of flooding which include fluvial, surface water, sewer and groundwater flooding.

48. The development has been considered in terms of flood risk, and the site is noted to be within EA flood zone 1. The LLFA have been consulted as part of the application and have raised no objection to the development.
49. Overall, it is considered that the development would not lead to an increase in flood risk on-site or off-site and would be acceptable from a flood risk and drainage perspective in accordance with Policies SD5 and ENV7 of the Stockton-on-Tees Local Plan and Part 14 of the NPPF.

#### Biodiversity Net Gain

50. As the application was submitted after the 12th of February 2024, the requirements of the Environment Act 2021, as inserted into Schedule 7A of the Town and Country Planning Act 1990, apply to this planning application and necessitate that the proposed development achieve biodiversity net gains of at least 10%.
51. According to the submitted BNG Assessment, the total overall ecological baseline (habitat) of the Site is 0.89BU. The report identifies that the survey area comprised of an area of modified grassland which has been categorised as 'poor' and individual urban trees classified as 'moderate'. As such, the scheme would not achieve a 10% net gain in habitat BUs on Site without habitat improvement.
52. In conjunction with the submitted Landscape drawing, a Biodiversity Gain Plan, and Habitat Management and Monitoring Plan is required and will be conditioned as part of the Biodiversity Net Gain requirements, to achieve a 10% net gain in biodiversity. It is envisaged that this will be achieved through the introduction of habitat creation through new modified grassland and replacement tree planting. Following these measures the total overall habitat value (on-site and off-site habitat) post development enhancements is 1.25BU, which would equate to a proposed diversity change of 27.54% which would largely exceed the 10% requirement, thus satisfying trading standards.
53. Subject to condition to secure details of a final Biodiversity Gain Plan, to include management and monitoring details, the application would accord with Policy ENV5 of the Stockton-on-Tees Local Plan, Part 15 of the NPPF, and the requirements of the Environment Act 2021.

#### Other Matters

54. Cleveland Police have provided comments, making suggestions for the development to incorporate elements of the Police Initiative 'Secured by Design' into the development, which has formed the basis of an informative.

#### **Conclusion**

55. In view of the assessment above, it is 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 are no technical reasons why the proposed scheme would be deemed unacceptable.
56. In planning terms, the proposed development is considered acceptable in all other regards and is therefore recommended for approval subject to those planning conditions set out in the report.

#### **Financial Implications**

No known implications other than the associated costs of implementation of the proposals/maintenance.

### **Environmental Implications**

There will be a loss of green space and some trees as a result of the works proposed, however the proposal is subject to BNG therefore replacement planting should mitigate this impact.

### **Legal Implications**

None known

### **Community Safety Implications**

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

### **Human Rights Implications**

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

### **Ward and Ward Councillors**

Councillor Ian Dalgarno  
Councillor Mick Moore

### **Background Papers**

National Planning Policy Framework  
National Planning Practice Guidance  
Stockton on Tees Local Plan Adopted 2019  
SPD2 – Open Space, Recreation and Landscaping - Dec 2009/2014

Name of Contact Officer: Jill Conroy

Post Title: Senior Planning Officer

Telephone number: 01642 528179

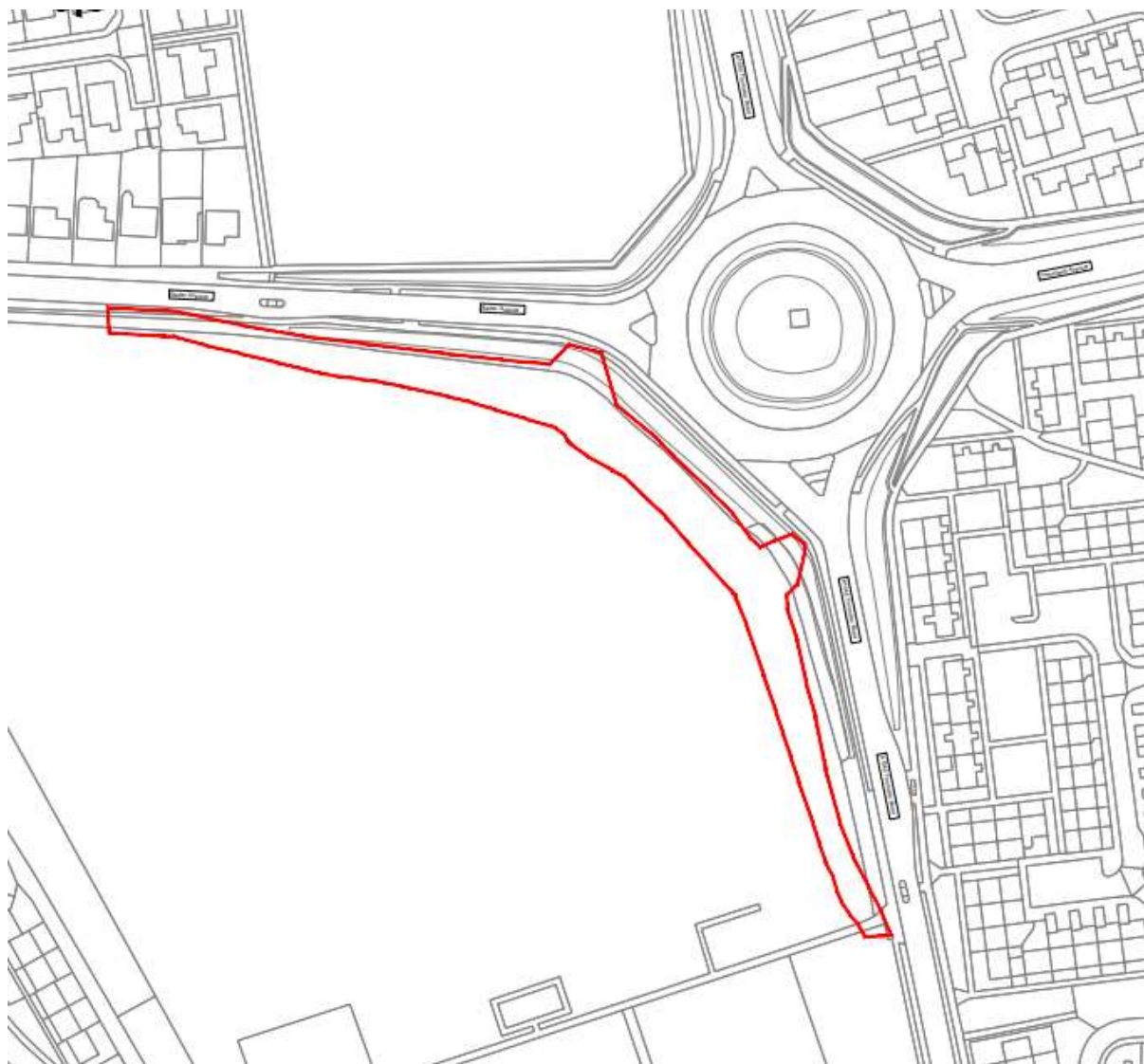
Email Address: [jill.conroy@stockton.gov.uk](mailto:jill.conroy@stockton.gov.uk)



Application 25/0777/LA

Roundabout at junction with Bader Avenue and Thornaby Road, Thornaby

Appendix 1: Location Plan





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## Appendix 2: General Arrangement Drawing



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**DELEGATED**

Report to Planning Committee

05 November 2025

Report of Director of Regeneration and Inclusive Growth

**25/0759/LA****Land East of Clarendon Road, Thornaby****Expiry Date: 31 July 2025****Extension of Time Date: 6 November 2025****Summary**

Planning permission is sought for the provision of a new footpath and cycleway as part of wider pedestrian/cycle network improvement scheme across the Borough.

10no letters of objection have been received following neighbour consultations. 1no letter of support has been received. Cleveland Police do not support the proposal over concerns with the footpath/cycleway potentially exacerbating issues of motorcycle nuisance referenced by local residents.

The application site relates to a parcel of land to the east of Clarendon Road. The site is recognised to be designated open space; however, the proposal relates to the provision of a new pedestrian and cycle route and therefore draws support from Local Plan Policies.

The application has been assessed in full, and it is 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 are no technical reasons why the proposed scheme would be deemed unacceptable in planning terms in which to justify refusal of the application.

In accordance with the Councils scheme of delegation, the application is to be determined by Planning Committee as the application is Local Authority development with a total site area of over 500 square metres.

**Recommendation(s)**

That planning application 25/0759/LA be approved subject to the following conditions;

**Time Limit**

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

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

**Approved Plans**

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

**Plan Reference Number**

65211061-SLD-XX-HLG-DR-EO-1307

65211061-SLD-XX-HLG-DR-EO-1308

**Date Received**

15 September 2025

15 September 2025

65211061-SLD-XX-HLG-DR-EO-1310 1002	15 September 2025 14 May 2025
65211061-SWE-LE-00-D-L-03007-C01	22 October 2025
65211061-SWE-LE-00-D-L-03008-C01	22 October 2025
65211061-SWE-KF-00-D-H-11007-P01	4 June 2025
65211061-SWE-LE-00-D-L-03010-C01	22 October 2025
65211061-SWE-DG-00-D-H-00507-P01	4 June 2025
65211061-SWE-DG-00-D-H-00510-P01	4 June 2025
65211061-SWE-KF-00-D-H-11010-P01	4 June 2025
65211061-SWE-SC-00-D-Z-00207-P01	4 June 2025
65211061-SWE-SC-00-D-Z-00210-P01	4 June 2025
65211061-SWE-ZZ-00-D-H-00107-P01	4 June 2025
65211061-SWE-ZZ-00-D-H-00110-P01	4 June 2025
65211061-SWE-ZZ-00-D-H-00108	14 May 2025
65211061-SWE-DG-00-D-H-00508	9 April 2025
65211061-SWE-KF-00-D-H-11008	9 April 2025
65211061-SWE-SC-00-D-Z-00208	9 April 2025

Reason: To define the consent.

### Contaminated Land

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

- a) A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.
- b) A detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) Based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

This must be undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" guidance (2023). Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water and land pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

### Dust Emissions

- 04 The development hereby permitted shall be undertaken in accordance with a scheme which has first been submitted to and approved in writing to control dust emissions, such as dampening down, dust screens and wheel washers to prevent mud being tracked onto the highway. Mobile crushing and screening equipment shall have any appropriate local authority PPC permit required and a copy of this permit available for inspection.

Reason: To protect the residential amenity of existing residents from the development in accordance with Policy SD8 of the Stockton on Tees Local Plan and Part 15 of the National Planning Policy Framework.

### **Construction Hours**

- 05 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.

Reason: To protect the residential amenity of existing residents from the development in accordance with Policy SD8 of the Stockton on Tees Local Plan and Part 15 of the National Planning Policy Framework.

### **Lighting**

- 06 Notwithstanding the submitted details relating to the proposed lighting scheme, all new lighting shall be arranged so as not to shine directly towards any dwelling. The light fittings shall be shielded to prevent light spillage beyond the boundary of the proposal hereby approved.

Reason: To protect the residential amenity of existing residents from the development in accordance with Policy SD8 of the Stockton on Tees Local Plan and Part 15 of the National Planning Policy Framework.

### **Biodiversity Net Gain**

- 07 The development hereby permitted shall be carried out in accordance with the submitted Biodiversity Net Gain Assessment, submitted 09 April 2025 (project ref 65211061) 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 shall commence until a Biodiversity Management and Monitoring Plan 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.

Reason: In the interests of ensuring measurable net gains to biodiversity and allow the LPA to discharge its duties in accordance with Policies SD5, SD8 and ENV5 of the Stockton-on-Tees Local Plan and Part 15 of the National Planning Policy Framework.

### **Informative 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.

### **Site and Surroundings**

1. The application site lies relates to a parcel of land which runs to the east of Clarendon Road in Thornaby. The land abuts residential dwellings either side with St Patricks Catholic College set to the northeast of the bend off Baysdale Road. The land abuts Milbank Lane to the south and extends northwards to the bend of Redcar Road and Humber Road. The site to which this application relates, however, terminates just north of the bend off Baysdale Road, adjacent to the school entrance.
2. The land comprises a grassed area containing trees around the periphery, mainly grouped to the south of the parcel of land. There is an existing footpath network which runs along the rear of the properties to the east.
3. The site lies within the defined settlement limits of the main conurbation and is designated open space within the Stockton Local Plan.

### **Proposal**

4. Planning permission is sought for the provision of a new footpath and cycleway together with associated landscaping and lighting, to be constructed through the land, connecting Milbank Lane and the main entrance of St Patricks Catholic College.
5. The proposal is part of a wider pedestrian/cycle network improvement scheme across the Borough and involves the provision of new pedestrian/cycle safety features.

### **Consultations**

6. Consultees were notified, and the following comments were received.
7. Highways Transport and Design Manager  
Highways: There are no highways objections to the proposals.  
Flood Risk: No Comments
8. Active Travel  
No comments received .
9. Environmental Health  
A search of our environmental records shows that the proposed development may be affected by contaminated land. The proposed cycle path is situated along a historical linear feature which is categorised as high risk.



The area concerned has not been investigated and is an area of unknown filled ground (circa 1954) for the disposing of waste, including scrap (to include infilled canal basins, docks or river courses. As such I would recommend submission of a preliminary risk rating of the potential ground conditions to identify potential contamination sources, pathways, and receptors.

I have checked the documentation provided, have found no grounds for objection in principle to the development however should the proposal be approved I would recommend the conditions be placed on the application relating to:

- Construction/ Demolition Noise
- Dust Emissions
- Light Intrusion

10. National Highways

Looking at this proposal, it appears to be a proposal for upgrade of cycle route and footpath provision that is at a distance of about a kilometre from the Strategic Road Network (A19) at a location adjacent to a strategic route with a cycle ban, running parallel to it. National Highways would be generally supportive of local authorities developing the active travel network to offer alternatives forms of transport to the car.

11. Cleveland Police

All roadways and pathways, adopted or otherwise, are recommended to be to BS5489-1:2020 standards with a uniformity preferably to Secured by Design recommended one of 40%, as a minimum 25%. Any proposed PROW, informal pathways, cycle lanes etc. are to be incorporated into active street frontages to avoid creating potential crime generators and are to be lit to the above standard. With the above considerations I would not recommend the route to rear of properties at Clarendon Rd. 25/0759/LA, as it could become an additional problem to those already referenced by residents. I have also liaised with the local policing team who confirm the issue at the location with off road motor cycle nuisance and any cycle route would exacerbate the issue. Police would not support this proposal.

## Publicity

12. Neighbours were notified by individual letters and wider publicity has been given via a site notice. 10 individual objections have been received and 1 letter of support. A summary of the comments is below:-

### Objections

- The proposed path/walkway is to be constructed within close proximity to my property in an area which floods due to a culverted beck a few metres underground and runs the entire length of the proposed site. This will result in a puddle for most of the year and the path therefore not fit for purpose.
- The path/cycleway will be used as a motorway for illicit purposes, including the use of quad bikes, scooters and motorbikes which already travel at speed. The path will increase anti-social behavioural issues.
- The open space need is far greater than that of the needs of a few cyclists of which there are plenty of alternative routes. The space is used for dog walkers and for children to play and sometimes for social community gatherings.
- The field hosts an array of wildlife, and the provision of a path and lighting would destroy these features and habitats.
- The proposed footway and cycle path would lead to privacy issues, increasing foot traffic near private homes and increasing potential loitering and security risk.
- The reduction of the open space will have a negative visual impact and would alter the character of the area.

- The cost of the development and potential maintenance costs would far outweigh the need for the footway and cycle path.
- A cycle path would be beneficial to the local area but in a suitable location, not eroding the green space.
- There are concerns over noise and disruption during construction works and ongoing required maintenance.
- By removing green space how do you expect to achieve Biodiversity Net Gain through the introduction of a hard surface.
- 

#### Support

- The path will improve walking conditions during bad weather and should include seating, greenery and dog waste bins.

### **Planning Policy Considerations**

13. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
14. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

#### National Planning Policy Framework

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

**Paragraph 96** Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

(b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas;

**Paragraph 104** Existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:  
(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

**Paragraph 109** Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

e) identifying and pursuing opportunities to promote walking, cycling and public transport use;

**Paragraph 135** Planning policies and decisions should ensure that developments:  
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>51</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

#### Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

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

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

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

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,

- Specific policies in that Framework indicate that development should be restricted.

#### Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

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

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

a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.

2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:

a. Directing development in accordance with Policies SD3 and SD4.

- b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.

#### Strategic Development Strategy Policy 6 (SD6) - Transport and Infrastructure Strategy

1. To provide realistic alternatives to the private car, the Council will work with partners to deliver a sustainable transport network. This will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users, and to local services, facilities and local amenities.
2. To ensure the road network is safe and there are reliable journey times, the Council will prioritise and deliver targeted improvements at key points on the local road network and work in conjunction with Highways England to deliver improvements at priority strategic locations on the strategic road network.

#### Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:
  - a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
  - b. Landscape character of the area, including the contribution made by existing trees and landscaping;
  - c. Need to protect and enhance ecological and green infrastructure networks and assets;
  - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
  - e. Privacy and amenity of all existing and future occupants of land and buildings;
  - f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
  - g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
  - h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.
2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

#### Transport and Infrastructure Policy 1 (TI1) - Transport Infrastructure

##### Delivering A Sustainable Transport Network

1. To support economic growth and provide realistic alternatives to the private car, the Council will work with partners to deliver an accessible and sustainable transport network. This will be achieved through improvements to the public transport network and routes for pedestrians, cyclists and other users.
2. A comprehensive, integrated and efficient public transport network will be delivered by:
  - a. Retaining essential infrastructure that will facilitate sustainable passenger movements by bus, rail and water;

- b. Supporting proposals for the provision of infrastructure which will improve the operation, punctuality and reliability of public transport services;
3. Accessible, convenient, and safe routes for pedestrians, cyclists and other users will be delivered by:
- a. Improving, extending and linking the Borough's strategic and local network of footpaths, bridleways and cycleways; and
  - b. Improving the public realm and implementing streetscape improvements to ensure they provide a safe and inviting environment.

**Natural, Built and Historic Environment Policy 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land**

1. Through partnership working, the Council will protect and support the enhancement, creation and management of all green infrastructure to improve its quality, value, multi-functionality and accessibility in accordance with the Stockton-on-Tees Green Infrastructure Strategy and Delivery Plan.
3. The Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. The loss of open space as shown on the Policies Map, and any amenity open space, will not be supported unless:
- a. it has been demonstrated to be surplus to requirements; or
  - b. the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - c. the proposal is for another sports or recreational provision, the needs for which, clearly outweigh the loss; or
  - d. the proposal is ancillary to the use of the open space; and
  - e. in all cases there would be no significant harm to the character and appearance of the area or nature conservation interests.

**Material Planning Considerations**

17. The key considerations of this application are, the principle of development, visual and landscape impact, amenity impact, highway implications, flood risk and drainage, biodiversity net gain and other residual matters

**Principle of Development**

18. The application site lies within the development limits of the main conurbation and is designated open space as allocated in the Stockton on Tees Local Plan.
19. Policy ENV6 (3) which specifically relates to open space states that the Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. It advises that the loss of any open space would not be supported unless the proposal is for another sport or recreational provision, the needs of which would clearly outweigh the loss, or the proposal is ancillary to the use of the open space. In all cases, it would need to be demonstrated that there would be no significant harm to the character and appearance of the area.
20. Policy SD6 relates to transport and infrastructure strategy and states that the Council will work with partners to deliver a sustainable transport network which will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users.
21. Concerns have been raised with respect to the loss of open space to facilitate the development, stating that the land is used for dog walkers, children's play and social,

communal gatherings. Policy ENV6 seeks to resist the loss of open space unless the proposal is in relation to another sporting or recreational provision. In this case, the proposal would introduce a hard surface to improve pedestrian and cycle facilities which would broadly align with the aims of ENV6. Further to this, the foot/cycle paths would only take a small section of the width of the land, thus leaving green space either side to enable the continued use of this recreational space.

22. Further to the above it must be recognised that the proposal is part of a wider pedestrian/cycle network improvement scheme across the Borough and the benefits to be brought about such as improvements to the routes for pedestrians, cyclists and other users is wholly consistent with the aims of Policy SD6 and is considered to outweigh the minor harm in terms of the loss of open space.
23. Given the policy context above, the application is considered to be acceptable in principle subject to further material planning considerations as identified below.

#### Visual and Landscape Impact

24. Paragraph 131 of the NPPF promotes the creation of high-quality buildings and places. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. With paragraph 135 requiring that developments should not only maintain a strong sense of place but should improve the quality of the area. Developments should also be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
25. In addition, the Stockton on Tees Local Plan, encourages high standards of design through Policy SD8 which states that new development should be appropriate to the context of the surrounding area and be of an appropriate style, proportion, and materials.
26. Concerns have been raised that the resultant development will negatively impact upon visual amenity and the general character of the area.
27. The impact on the character of an area is not something which is purely about the visual appearance, it is also about the nature of development and how that creates a sense of place. The proposal will undoubtedly alter the character of the open space through the introduction of built form; however, the footpath and cycleway are common features, often found in open green spaces and would not look out of character therein. It is proposed to introduce a grass strip between the two paths together with tree and shrub planting as part of the Biodiversity Net Gain requirement, therefore the proposal would be deemed to enhance the area, making the space more usable and visually attractive.
28. In terms of existing trees, according to the submitted Landscaping layout plan there will be 2no trees removed from within the application boundary. Other tree removal works are to take place; however, this is outside of the jurisdiction of this application. The trees earmarked for removal are on Council owned land and aren't protected and whilst it is undoubtedly regrettable for their loss, the wider benefits of the proposal in terms of pedestrian/cyclist safety would be considered to outweigh this harm. Tree planting is proposed to replace those lost trees and will be discussed further in the report.
29. On the whole, the development would be acceptable in terms of design, scale and materials and would not adversely impact upon the character and appearance of the site and wider area. The proposal would therefore comply with Policies SD8 and ENV6 of the Stockton-on-Tees Local Plan and relevant design Chapters of the NPPF.



### Amenity Impact

30. In respect of the neighbouring properties, planning policies SD3 and SD8 seek to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings, while guidance within the Householder Alterations and extensions SPD provides further clarity over the impacts that development can have on neighbouring occupiers.
31. Policy SD8 also states that proposals should be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
32. Chapter 12 of the NPPF seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
33. Concerns have been raised that the proposed footway and cycle path would lead to privacy issues, increasing foot traffic near private homes and increasing potential for loitering and security risk. Concerns have also been raised that the new path/cycleway will be used as a 'motorway' by quad bikes, scooters and motorbikes for illicit purposes which already travel at speed. Residents fear the path will exacerbate anti-social behavioural issues.
34. Cleveland Police have been consulted as part of the application and concur with the concerns of local residents regarding the issues with existing motorcycle nuisance. Cleveland Police therefore do not support the application.
35. Noting the concerns raised, it must be recognised that the site is an established recreational area. While the introduction of a hard-surfaced foot path and cycle path may increase foot traffic and occasional congregation, its primary purpose is to provide safe, direct pedestrian and cycle access for local residents including children from the nearby secondary school, supporting wider sustainable and active travel aims. Although concerns about crime are acknowledged, such issues are unlikely to arise solely from construction of the proposed development. The scheme includes lighting which will enhance surveillance and help deter anti-social behaviour. Existing motorcycle nuisance is a policing matter and falls outside the scope of planning and it is not considered that there is sufficient evidence to strongly indicate a direct link between the proposals and any further nuisance occurring.
36. The Environmental Health Unit have been consulted and have raised no objection to the principle of development stating that the lighting is for safety purposes and with regards to an amenity perspective has been designed with smart lighting controls which minimises light intrusion. Conditions have however been recommended relating to construction working hours, contaminated land, light intrusion and dust emissions. These conditions have duly been included.
37. Overall, based solely on the nature of the development proposed, it is considered that subject to appropriate conditions, the proposed development would not directly result in a loss of amenity to occupiers of neighbouring properties and therefore would not conflict with the policy aims of the Local Plan or the NPPF.



### Highway implications

38. Local Plan Policy SD8 states that new development should be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport.
39. Paragraph 116 of the National Planning Policy Framework sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe.
40. The proposed development relates to improvements to pedestrian and cycle routes within the locale. The Highways Transport and Design Manager has reviewed the application and raise no objections to the proposed development.
41. Overall, the proposed development would comply with the provisions of SD8 as the development would result in improvements to pedestrian and cycle routes without causing detrimental harm to the wider road network. The proposal would not be deemed to result in an unacceptable impact which would be deemed a severe impact on highway safety or the wider road network, thereby according with Chapter 9 of the NPPF.
42. Accordingly, the proposal is deemed acceptable in terms of highway safety.

### Flood Risk and Drainage

43. Concerns have been raised that the development is to be constructed in close proximity to residential dwellings, in an area which is subject to flooding due to a culverted beck a few metres underground, which runs the entire length of the proposed site. Concerns are raised that the paths will result in a puddle for most of the year and therefore will not be fit for purpose.
44. Stockton Local Plan Policy ENV4 advises that reducing and mitigating flood risk is an important issue for planning particularly as the effects of climate change are being realised. To ensure sustainable economic growth is achieved, it is essential that development (new and existing) is safe from flooding and incorporates approaches to reduce risk. When addressing flood risk, it is important to consider all sources of flooding which include fluvial, surface water, sewer and groundwater flooding.
45. The development has been considered in terms of drainage and flood risk, and the site is noted to be within EA flood zone 1. Drainage measures have been incorporated into the scheme and the LLFA have been consulted as part of the application. The LLFA have raised no objection to the proposed development.
46. Overall, it is considered that the development would not lead to an increase in flood risk on-site or off-site and would be acceptable from a flood risk and drainage perspective in accordance with Policies SD5 and ENV7 of the Stockton-on-Tees Local Plan and Part 14 of the NPPF.

### Ecology and Biodiversity Net Gain

47. Concerns have been raised from local residents regarding the impact on local wildlife and querying how BNG can be achieved through the introduction of a hard surface.
48. The application was submitted after the 12th of February 2024, therefore the requirements of the Environment Act 2021, as inserted into Schedule 7A of the Town

and Country Planning Act 1990, apply to this planning application and necessitate that the proposed development should achieve biodiversity net gains of at least 10%.

49. According to the submitted BNG Assessment, the total overall ecological baseline (habitat) of the Site is 1.91 baseline units (BU). The report identifies that the survey area comprised of an area of modified grassland which has been categorised as 'poor' and individual rural trees classified as 'moderate'. As such, the scheme would not achieve a 10% net gain in habitat BUs on Site without habitat improvement.
50. In conjunction with the submitted Landscape drawings, a Biodiversity Gain Plan, and Habitat Management and Monitoring Plan is required and will be conditioned as part of the Biodiversity Net Gain requirements, to achieve a 10% net gain in biodiversity. It is envisaged that this will be achieved through the introduction of habitat creation through new modified grassland and replacement tree planting. Following these measures the total overall habitat value (on-site and off-site habitat) post development enhancements is 2.18BU, which would equate to a proposed diversity change of +14.07% which would exceed the 10% requirement, thus satisfying trading standards.
51. Subject to condition to secure details of a final Biodiversity Gain Plan, to include management and monitoring details, the application would accord with Policy ENV5 of the Stockton-on-Tees Local Plan, Part 15 of the NPPF, and the requirements of the Environment Act 2021.

#### Other Matters

52. Comments have been received raising concerns about the cost of the development together with on-going maintenance costs, which are deemed to outweigh the need for the footway and cycle path. Whilst the scheme is recognised to be part of a wider Council scheme relating to pedestrian and cycle safety improvements across the Borough, this matter is outside of the control of planning and therefore has no bearing on the outcome of the decision.

#### **Conclusion**

53. In view of the assessment above and taking into account the concerns received by local residents and representatives from Cleveland Police, it is 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 are no technical reasons why the proposed scheme would be deemed unacceptable.
54. In planning terms, the proposed development is considered acceptable in all other regards and is therefore recommended for approval subject to those planning conditions set out in the report.

**Financial Implications:** No known implications other than the associated costs of implementation of the proposals/maintenance.

**Environmental Implications:** There will be a loss of green space and some trees as a result of the works proposed, however the proposal is subject to BNG therefore replacement planting should mitigate this impact.

**Legal Implications** None known

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

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

### **Ward and Ward Councillors**

Councillor Ian Dalgarno  
Councillor Mick Moore

### **Background Papers**

National Planning Policy Framework  
National Planning Practice Guidance  
Stockton on Tees Local Plan Adopted 2019  
SPD2 – Open Space, Recreation and Landscaping - Dec 2009/2014

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Application 25/0759/LA

Land East of Clarendon Road, Thornaby

Appendix 1: Location Plan



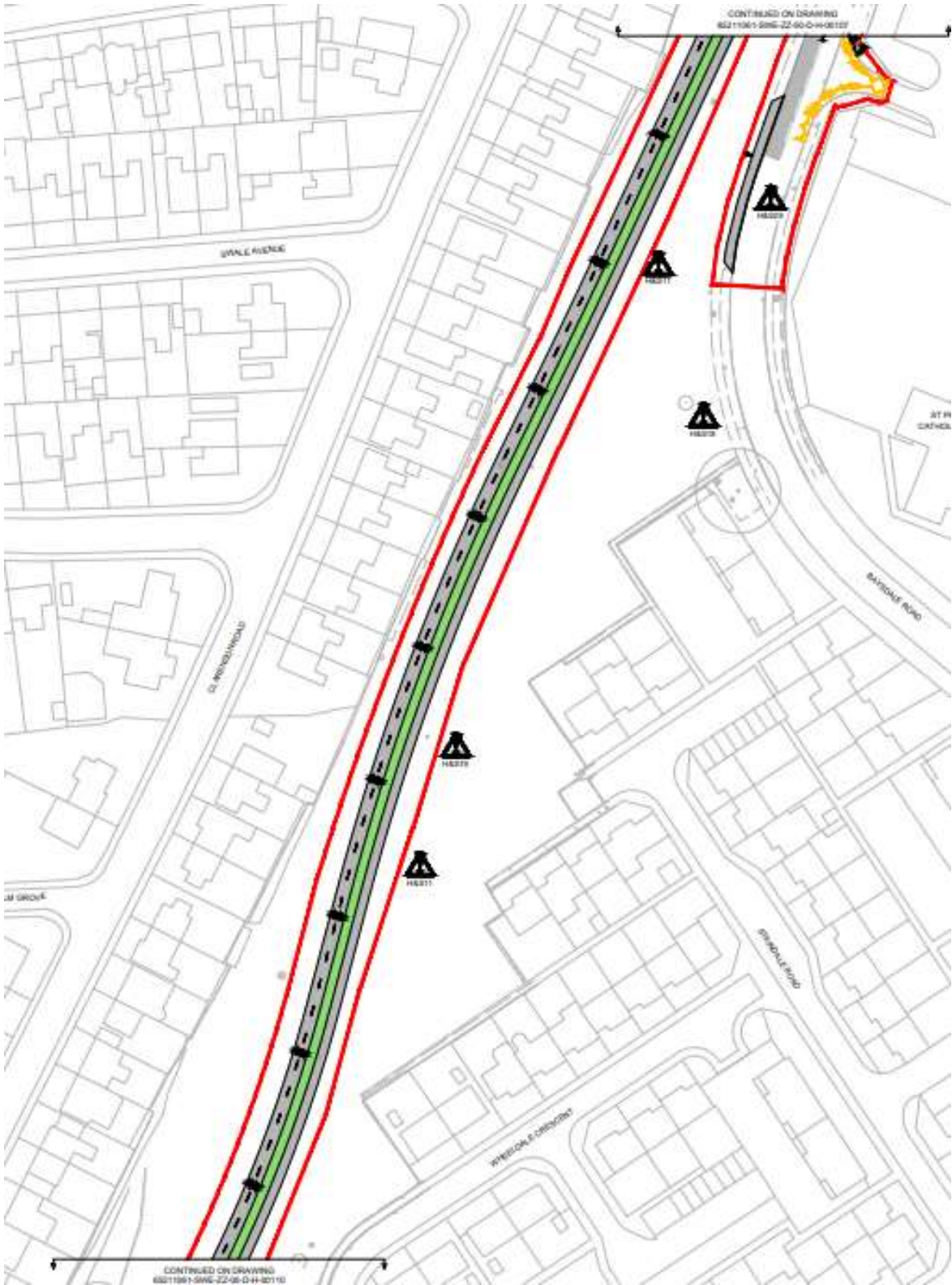
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## Appendix 4: General Arrangement Plan 3 of 3



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**DELEGATED**

Report to Planning Committee

5 November 2025

Report of Director of Inclusive  
Growth and Regeneration**Housing Supply and Delivery: Annual Position Statement 2025/26 to 2029/30****Summary**

This report provides members with an update on the level of housing supply in the Borough based on the 5 years starting from 1<sup>st</sup> April 2025 to 31<sup>st</sup> March 2030.

**Recommendation(s)**

Members are recommended to note the contents of this report

**Background**

1. This report provides members with an update on housing supply and delivery in the Borough. The National Planning Policy Framework (NPPF) is clear that the implications of not being able to demonstrate a five-year housing supply or pass the housing delivery test are that the NPPF 'Presumption in Favour of Sustainable Development' will apply to planning applications. The NPPF requires Council's to update their position annually.
2. The Council adopted the current Local Plan on the 30th January 2019, following an independent examination which identified that the Local Plan was a 'sound' document. A review was completed in January 2024 to coincide with the Local Plan being five-years old. This concluded that the level of housing supply should be measured against the Government's Local Housing Need.
3. In December 2024 Government updated the methodology for calculating the Local Housing Need. This meant the figure for Stockton-on-Tees Borough increased from circa 440 dwellings per annum to 746 dwellings per annum. The method requires an annual update and the requirement in this assessment is for 767 dwellings per annum.
4. This report is accompanied by a Housing Supply Assessment which covers the period 2025 – 2030 and identifies 4.00 years of housing supply. Given the findings of the assessment the Council can not demonstrate a five-year housing supply. In accordance with the 'presumption in favour of sustainable development' set out in the NPPF, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites means that the policies which are most important for determining the application are out-of-date. Therefore applications for future residential development should be granted permission unless:
  - i. the application of policies in the NPPF Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

5. The latest published Housing Delivery Test figure relates to the 2023 period in which the measurement for the Borough was 124% (a delivery of 1525 dwellings vs a requirement of 1234 dwellings). Whilst Government have not published Housing Delivery Test results for 2024 and 2025 as yet it is anticipated that the Housing Delivery Test result for these years will exceed 100%. Following the change to the Local Housing Need, housing delivery in future periods will be measured against a higher requirement. Therefore passing the Housing Delivery Test in the future may be more challenging.

### **Financial Implications**

6. None

### **Environmental Implications**

7. None

### **Legal Implications**

8. None

### **Community Safety Implications**

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

### **Human Rights Implications**

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

### **Ward and Ward Councillors**

All Councillors

### **Background Papers**

Housing Supply and Delivery: Annual Position Statement 2025/26 to 2029/30

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# Stockton on Tees Borough

## Housing Supply and Delivery: Annual Position Statement 2025/26 to 2029/30

October 2025



## Executive Summary

This report sets out the five-year housing land supply assessment, for the period 1<sup>st</sup> April 2025 to 31<sup>st</sup> March 2030 (2025/26 to 2029/30).

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

The Stockton-on-Tees Local Plan was adopted on the 30<sup>th</sup> January 2019 and previous housing supply assessments have used the housing requirement set out within Policy SD2 'Strategic Development Needs' of the Local Plan.

In January 2024 the Local Plan was five-years old. As well as being required to demonstrate a five-year housing supply, existing local planning regulations required the Council to undertake a Local Plan Review. The review recognised that rather than using the Local Plan Housing Requirement, the Local Housing Need referred to in the NPPF and set out in practice guidance should be utilised to calculate the housing requirement in future assessments.

Revisions to national policy published on 12<sup>th</sup> December 2024 mean, amongst other things, that:

- Previous amendments to national planning policy in December 2023 have been reversed. This includes reverting to the method of calculating housing supply in place prior to December 2023.
- Government's methodology for calculating Local Housing Need has been amended, with a significant increase now applicable to Stockton-on-Tees Borough.

Consequently, this report concludes that the Council is able to demonstrate **4.00** years supply of deliverable housing sites over the period covered by this assessment.

## Introduction

1. Since it was introduced in 2012, the National Planning Policy Framework (NPPF) has required local planning authorities to identify and update annually a supply of specific deliverable sites to demonstrate a minimum of five years' worth of housing against the relevant housing requirement. Since this requirement was introduced, the Council has published annually a Housing Supply and Delivery Position Statement.
2. This report sets out the five-year housing land supply assessment, for the period 1 April 2025 to 31 March 2030 (2025/26 to 2029/30).

## Local Plan Review

3. Where a Local Plan is more than five-years old the housing supply assessment must be made against the 'Local Housing Need' (LHN), unless the relevant Local Plan policies have been reviewed and found not to require updating.
4. The Stockton-on-Tees Local Plan was adopted on the 30<sup>th</sup> January 2019 and previous assessments have considered the housing requirement set out within Policy SD2 'Strategic Development Needs' of the Local Plan which was:
  - 720 dwellings (net) per annum from 2017/18 to 2021/22
  - 655 dwellings (net) per annum from 2022/23 to 2031/32
5. The Local Plan Review, which was required by Regulation 10A of the Local Planning Regulations (2012) was reported to Full Council on 24<sup>th</sup> January 2024. With regard to the Local Plan Housing Requirement it was concluded that:
  - The Local Plan Housing Requirement does not use the Local Housing Need (LHN) as a starting point;
  - There is a significant difference between the LHN and the Local Plan housing requirement;
  - When demonstrating a five-year housing supply after the Local Plan is five-years old, the assessment will be made against the local housing need in accordance with the NPPF paragraph 74
6. The findings of the review were agreed by members.

## Housing Requirement

### Previous over / under supply

7. Planning Practice Guidance (PPG) is clear that where areas deliver fewer new homes than required, the deficit should be added to the housing requirement used to calculate the five-year supply assessment. Therefore additional supply will be required to offset any shortfalls against requirements from previous years.
8. Amendments to national policy 12<sup>th</sup> December 2024 have reversed changes introduced in December 2023 which allowed councils to use past over-delivery as a credit when calculating their housing supply position. Therefore, where over-delivery has occurred there will be no change to the housing requirement.
9. This five-year supply assessment covers years 9 to 13 (2025/26 to 2029/30) of the housing requirement set out in the Local Plan. It is therefore necessary to consider any over/undersupply against the Local Plan housing requirement between 2017 and 2025.
10. The previous housing requirements identified in figure 1 are taken from the Local Plan. However, as the Local Plan was five-years old in 2024, the Government's Local Housing Need was utilised as the housing requirement for 2024/25. Net delivery against the housing requirement is detailed below:

Figure 1: Previous delivery against Local Plan requirements

Year	Net delivery <sup>1</sup>	Housing requirement	Annual Difference	Cumulative Balance
Year 1 (2017/18)	770	720	50	50
Year 2 (2018/19)	795	720	75	125
Year 3 (2019/20)	1012	720	292	417
Year 4 (2020/21)	582	720	-138	279
Year 5 (2021/22)	334	720	-386	-107
Year 6 (2022/23)	624	655	-31	-138
Year 7 (2023/24)	666	655	+11	-127
Year 8 (2024/25)	753	746	+7	-120
Total	5,536	5,656	-120	

11. Initially, housing development had led to a situation where cumulative delivery exceeded the housing requirement in the first four years of the Local Plan. However, delivery was impacted by the Covid-19 pandemic which significantly impacted the economy throughout 2020/21. Annual delivery in 2021/22 was 386 dwellings below the Local Plan target, because of a combination of lower gross housing delivery as the construction sector recovered from Covid, and the commencement of the demolition of Anson and Hudson House in Thornaby, a loss of 184 dwellings. Net completions have since recovered and as of 1<sup>st</sup> April 2025 housing delivery was -120 dwellings below the cumulative Local Plan housing requirement.
12. **Accordingly, the five-year requirement (2025/26 to 2029/30) in this paper has been increased by +120 dwellings.**
13. Notwithstanding the above, if housing delivery in 2024/25 had been measured against the relevant Local Plan requirement (655 dwellings), or the previous LHN method (circa 450), past under-delivery would have been significantly reduced / eradicated.

### Five Year Local Plan Requirement

14. The housing requirement for 2025/26 to 2029/30 period as set out in the adopted Local Plan is **3,275** dwellings. This is calculated based on 5 years (2025/26 to 2029/30) at 655 dwellings per annum. As noted above, the Local Plan Review concluded that in accordance with the NPPF the Government's Local Housing Need Methodology should be used as the basis for calculating a five-year housing supply.
15. Reforms to national policy and guidance have also led to adjustments to the method of calculating the Local Housing Need. A housing requirement based on the Local Housing Need requires 3,835 dwellings based on 767 dwellings over the five-year period.
16. Appendix A sets out the detailed steps in the calculation of the Local Housing Need calculation. The variables used in this calculation are subject to change and it is also possible that further changes to the methodology could occur. As a consequence, there is a degree of volatility and potential for the local housing need figure to adjust on an annual basis impacting on the targets in future assessments. Figure 2 provides an overview of the Local Plan and Local Housing Need Requirements.

Figure 2 – Housing Requirement

Year	Local Plan Requirement	Local Housing Need
2025 / 2026 (Year 1)	655	767

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

2026 / 2027 (Year 2)	655	767
2027 / 2028 (Year 3)	655	767
2028 / 2029 (Year 4)	655	767
2029 / 2030 (Year 5)	655	767
<b>Total</b>	<b>3,275</b>	<b>3,835</b>

### Buffer

17. As noted above, the NPPF was amended in December 2023, whilst the associated practice guidance was updated in February 2024. The original change removed the need to add an additional 5% buffer on to the housing requirement. As this change was reversed in the revised NPPF published on 12/12/2024, paragraph 78 once again states that a 5% buffer must be added to the housing requirement as a minimum.
18. The NPPF requires an additional buffer of 20% of the housing requirement to be added to the five-year requirement, where:
- the adopted Local Plan housing requirement is 80%, or less, of the most up to date local housing need figure. This does not apply to this council due to the age of the Local Plan policies, and the outcome of the Local Plan review. For information the average Local Plan housing requirement (675 dwellings between 2017 and 2032) is circa 90% of the LHN.
  - The latest Housing Delivery Test identifies significant under delivery across a three-year period where delivery is measured as less than 85% of the housing requirement for the same period.
19. Past results of the Housing Delivery Test are set out in Figure 3 below. As can be seen, the Council has comfortably passed the test during the most recently published period and all previous publications. Whilst the increased Local Housing Need figure set out above may mean that the requirements of the Housing Delivery Test are more challenging in the future, it is not considered likely to impact the 2024 calculation.

Figure 3 – Housing Delivery Test Results for Stockton on Tees Borough.

Result	Annual Period included	Total no. of homes required	Total no. of homes delivered	Housing Delivery Test Result	
				Measurement	Consequence
<b>2018</b>	Y1 - 2015/16 Y2 - 2016/17 Y3 - 2017/18	1,654	2,058	124%	<b>None</b>
<b>2019</b>	Y1 - 2016/17 Y2 - 2017/18 Y3 - 2018/19	1,580	2,489	158%	<b>None</b>
<b>2020</b>	Y1 – 2017/18 Y2 – 2018/19 Y3 – 2019/20	1,461	2,577	176%	<b>None</b>
<b>2021</b>	Y1 – 2018/19 Y2 – 2019/20 Y3 – 2020/21	1,291	2,389	185%	<b>None</b>
<b>2022</b>	Y1 - 2019/20 Y2 – 2020/21 Y3 – 2021/22	1,231	1,928	157%	<b>None</b>
<b>2023</b>	Y1 – 2020/21 Y2 – 2021/22 Y3 – 2022/23	1,234	1,525	124%	<b>None</b>
<b>2024</b>	Y1 – 2021/22 Y2 – 2022/23	<i>TBC</i>	<i>TBC</i>	<i>TBC</i>	<i>TBC</i>

	Y3 – 2023/24				
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20. Accordingly, there is no requirement to include a 20% buffer on top of the housing requirement. Therefore, given the results of the Housing Delivery Test, the NPPF and Government Guidance **a 5% buffer must be added to the housing requirement** as set out in figure 4 below.

Figure 4: Five-year supply requirement calculation

	Quantum
a. Housing Requirement (2025/26 to 2029/30)	3,835
b. Past Under-delivery	+120
c. buffer percentage	+5%
<b>Five-year Supply Requirement</b>	<b>4,153</b>
<b>Calculation</b>	
$(a + b) \times (100\% + c) = \text{Five-year requirement}$ $(3,835 + 120) \times 1.05 = 4,153$	

## Delivery

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

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

- a) *sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
  - b) *where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”*
22. Most sites identified within the trajectory are those that have planning permission or are allocations within the Local Plan. A review of the SHLAA has not been undertaken to identify other deliverable sites. Other sites will not be included unless the Council has specific evidence to consider them as deliverable such as where registered providers have identified plans for demolition and rebuild. The report also includes several asset sites which were agreed at Cabinet on 12<sup>th</sup> June 2025.
23. The Council have sought to obtain delivery information from landowners, agents and developers of larger sites (those of 5 dwellings and above) and where no information has been received cautious assumptions have been made.
24. PPG advises that local planning authorities may develop a range of assumptions and benchmarks to inform and test assessments. Based on experience it is not considered that prescriptive assumptions should be rigorously applied within a five-year assessment and that the most robust outcomes are achieved through a rounded assessment of sites based on site specific factors and available information.
25. Unless considered overly optimistic or pessimistic delivery information provided by landowners, agents and developers has been used. When reviewing delivery information provided by developers, landowners and

agents, and, making assumptions for sites where no information has been forthcoming the Council have considered the following:

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

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

27. The housing trajectory incorporates delivery and losses from the following sources:

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

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

### Nutrient Neutrality

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

30. The letter from Natural England stated:

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

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

32. Natural England has introduced a scheme which allows development to purchase credits in environmental schemes to mitigate the impact of their development, a number of developments in the Borough have benefitted from this scheme. In addition, a number of development sites have progressed as applicants have been able to secure mitigation on-site, or through agreements with other land-owners.

33. The Levelling Up and Regeneration Act (LURA) also gained Royal Assent on 26<sup>th</sup> October 2023. This legislation includes 'nutrient pollution standards to apply to certain sewage disposal works' from 1<sup>st</sup> April 2030.

Implementation of these measures will ensure that waste-water treatment works are improved to ‘technically achievable limits’ with the positive impact allowing new development to progress.

### Large sites

34. Appendix B provides details of large sites (planning permissions of five or more dwellings and Local Plan allocations). It is anticipated that 3,264 dwellings will be delivered from this source over the five-year period. In order to be consistent with previous assessments sites ranging between 5 – 10 dwellings are included in the above figure rather than in the small-sites trajectory (see below). A cautious approach has been taken to the delivery from these schemes following a review of the deliverability of these sites.

### Small sites

35. Appendix C provides details of small sites (less than or equal to 5 dwellings) with planning permission. A total of 73 dwellings are identified as deliverable in the five-years. The following provides a summary of the nature of these sites:

- Sites where development is under construction – 18 dwellings
- Detailed planning permissions where development has not started- 52 dwellings
- Sites with outline planning permission (or permitted development) – 3 dwellings

36. The above sites do not involve major development; therefore, the NPPF is clear that they should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years. In addition, it is considered appropriate to include an implementation rate within the assessment of 80%. This would see the delivery of a further 58 units within the five-year period covered by this assessment which is both robust and conservative given the number of sites currently under construction and as a number of homes have already been removed from the supply prior to the application of this assumption.

### Windfall sites

37. The NPPF advises that windfall sites are those “not specifically identified in the development plan” and that where an allowance is made for them there should be compelling evidence that they will provide a reliable source of supply.
38. It is important that any windfall allowance is realistic and is based on sound evidence. Sources of windfalls include conversions to residential use, the subdivision of existing dwellings and other small sites. Whilst a site is considered a windfall where they have not been identified within the development plan this assessment only considers historic windfall delivery on the basis of sites located within the limits to development to ensure the windfall rate is not overestimated.
39. Windfalls can be categorised into small and large windfalls (i.e. those of less than 5 dwellings and those of 5 dwellings or more respectively). As detailed below there has been consistent delivery on small sites over the last 10 years of circa 27 dwellings per annum. An average delivery of 42 dwellings per annum from small sites was also identified in the 4-year period prior to this (2007/08 to 2011/12).

Figure 5: Past delivery on small sites

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	Average Annual
59	20	39	22	71	10	23	28	9	35	22	5	12	27

40. Delivery on small sites rebounded during 2021/22 following the disruption caused by the Covid-19 pandemic. Whilst nutrient neutrality has impacted on the ability to grant permissions for small sites within the Borough, it is anticipated that a number of pending planning applications not included in this assessment will progress



within the five-year period. However, there have been numerous large windfall sites delivered and permitted in recent years which includes the conversion of commercial premises to flats. Based on this it is considered reasonable to assume that a degree of windfall delivery will continue to come forward in the future and that it is appropriate to continue to provide a modest windfall delivery of 45 units over the five-year period in order to avoid double counting when considered alongside small sites with planning permission.

### Demolitions/losses

41. Appendix D provides details of the 41 demolitions/losses which are included in this assessment. All demolitions have been identified as being completed within this assessment.

### Conclusion

42. The Council are able to demonstrate **4.00 years** supply of deliverable housing sites over the five-year period 1 April 2025 to 31 March 2030 (2025/26 to 2029/30).

Figure 6: Five-year supply calculation

Input	Quantum
A. Five-year Supply Requirement (2025/2026 to 2029/2030)	<b>4,153</b>
B. Supply (2025/2026 to 2029/2030)	<b>3,367</b>
• Large Sites	<b>3,264</b>
• Small Sites	<b>58</b>
• Windfall	<b>45</b>
C) Demolitions	<b>41</b>
Number of years supply	<b>4.00</b>
<b>Calculation</b>	
$((B - C) \div A) \times 5 = \text{Number of years supply}$ $(3,367 - 41) / 4,153 \times 5 = 4.00 \text{ years supply}$	

Appendix A – Local Housing Need

Standardised Methodology: Draft May 2025
<b>Step 1 – Setting the Baseline</b>
<p>Multiply dwelling stock by 0.8%. In the opinion of Government this provides a level of increase in all areas that is consistent with national average housing growth over time. Most recent dwelling stock estimate for the Borough = 90,055 dwellings (ONS Dwelling Stock Estimate Table 125, published 22/05/2025).</p> <p><b>Baseline for this calculation is 90,055 dwellings x 0.008 = 720 dwellings.</b></p>
<b>Step 2 - An adjustment to take account of affordability</b>
<p>Government guidance provides the following formula to calculate an adjustment factor to the baseline projections.</p> $\text{Adjustment Factor} = \left( \frac{(\text{5-year average Affordability ratio}) - 5}{4} \right) \times 0.95 + 1$ <p>Table 5c, ONS Ratio of House Price to Earnings, published 24/03/2025 shows that Stockton on Tees Borough's 5-year average median workplace based affordability ratio was 5.34 (the most up to date figure at the time of this assessment).</p> $1.065 = \left( \frac{5.34 - 5}{5} \right) \times 0.95 + 1$ <p>As a result, the annual local housing need figure is calculated as follows, 1.065 x 720 = 767 dwellings per annum.</p>
<b>Five Year Supply Requirement 2025 - 2030</b>
<p>As a consequence, the housing requirement for the five-year supply period is 5-years of 767 dwellings, which equals 3,835 dwellings.</p>

**Notes:**  
MHCLG, Housing and Economic Needs Assessment, <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>  
MHCLG, Dwelling Stock Tables (including variants) <https://www.gov.uk/government/collections/dwelling-stock-including-vacants>  
ONS, *Ratio of house price to workplace-based earnings (lower quartile and median), 1997 to 2024, Table 5c*  
<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

Site ID	Location	Address	Current Status	Application Reference	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	Completed	Remaining	Under Construction	Total Units	25/26	26/27	27/28	28/29	29/30	Summary Comment
819	Billingham	Billingham Campus	Allocation	Allocation H1.5.2	0	0	0	0	0	0	0	0	0	0	150	0	150	0	0	0	0	0	No delivery expected in the five-year period. Alternative non-residential scheme proposed.
399	Core Area	42 Yarm Road	Committed	14/1736/FUL	0	0	0	0	0	0	0	0	0	0	9	1	9	0	0	0	0	0	No delivery expected in the five-year period. Developer return identifies completion outside of the five-year period.
674	Core Area	Events Car Park. Navigation Way	Stalled	20/2804/REM	0	0	0	0	0	0	0	0	0	0	117	51	117	0	0	48	23	23	Assume development will complete within the five-year period. Stalled development is expected to recommence in near future.
704	Core Area	Riverside Inn,8 - 12 Thistle Green,Stockton-on-Tees	Under Construction	17/0873/FUL	0	0	0	0	0	0	0	0	0	0	6	6	6	6	0	0	0	0	Assume development will complete within the five-year period.
715	Core Area	Queens Park, Norton Road	Allocation	Allocation H1.3.2	0	0	0	0	0	0	0	0	0	0	134	0	134	0	0	0	0	0	No delivery expected in the five-year period. No evidence of progress on delivering this brownfield site.
816	Core Area	Millfield Works Grangefield Road	Pending	18/1726/OUT	0	0	0	0	0	0	0	0	0	0	600	0	600	0	0	0	0	0	No delivery expected in the five-year period.
817	Core Area	Yarm Road Rec, Stockton	Allocation	Allocation H1.3.4	0	0	0	0	0	0	0	0	0	0	30	0	30	0	0	0	0	0	No delivery expected in the five-year period. No progress on development proposals.
859	Core Area	Bishopton House, 6-14 Bishopton Lane, Stockton on Tees	Committed	22/1774/PCBDH	0	0	0	0	0	0	0	0	0	0	14	0	14	0	0	0	0	0	No delivery expected in the five-year period.
382	Eaglescliffe	Allens West, Durham Lane, Eaglescliffe	Under Construction	11/2842/EIS 20/0279/REM 21/3099/VARY 22/1084/VARY	0	0	0	0	0	0	48	79	130	257	588	138	845	133	104	106	100	50	Developer phasing indicates significant delivery over the five-year period. Three developers operating on-site during the five-year period.
633	Eaglescliffe	Old Hall And Land At Manor House Farm, (incorporated under 15/1790/FUL)	Under Construction	20/2296/FUL	0	0	0	0	0	0	0	0	1	1	4	4	5	2	2	0	0	0	Assume development will complete within the five-year period.
731	Eaglescliffe	Hunters Rest Farm, Urlay Nook Road	Under Construction	18/0301/REV	0	0	0	0	0	0	10	22	31	63	45	28	108	30	15	0	0	0	Assume development will complete within the five-year period.
822	Eaglescliffe	Eaglescliffe Golf Club, Yarm Road	Allocation	Allocation H1.5.7	0	0	0	0	0	0	0	0	0	0	150	0	150	0	0	0	0	0	No delivery expected in the five-year period. No progress on development proposals.
900	Eaglescliffe	Land East of Mandale Park, Urlay Nook Road, Eaglescliffe	Committed	23/2223/FUL	0	0	0	0	0	0	0	0	0	0	87	0	87	0	27	30	30	0	Assume development will complete within the five-year period.
192	Ingleby Barwick	Land In The Vicinity Of Betty's Close Farm	Stalled	06/1064/OUT	1	0	0	0	0	0	0	0	0	1	16	1	17	0	0	0	0	0	No delivery expected in the five-year period. Scheme has stalled, assumption that delivery will happen outside of the five-year period.
546	Ingleby Barwick	Land Adjacent To Thornaby Road (Phase 3)	Committed	18/0195/OUT	0	0	0	0	0	0	0	0	0	0	200	0	200	0	30	30	35	35	Development expected to commence during the five-year period.
546	Ingleby Barwick	Land at Welwyn Road, Ingleby Barwick	Under Construction	21/1641/FUL	0	0	0	0	0	0	16	67	57	130	82	47	212	65	17	0	0	0	Assume development will complete within the five-year period.
546	Ingleby Barwick	Land at Low Lane / Little Maltby Farm	Pending	H1.2.IB3 24/0977/OUT	0	0	0	0	0	0	0	0	0	0	64	0	64	0	0	0	0	0	No delivery expected in the five-year period.
546	Ingleby Barwick	Land Off Welwyn Road, Ingleby Barwick	Under Construction	23/2292/FUL	0	0	0	0	0	0	0	0	0	0	345	0	345	24	71	71	71	71	Development expected to commence during the five-year period. Two developers operating from the site.
655	Ingleby Barwick	Land off Roundhill Avenue Ingleby Barwick	Under Construction	18/1459/REM	0	0	0	0	0	0	0	1	47	48	29	17	77	29	0	0	0	0	Assume development will complete within the five-year period.
663	Ingleby Barwick	Lowfield ,Low Lane,High Leven	Under Construction	20/0893/FUL	0	0	0	0	0	0	0	12	22	34	35	33	69	26	9	0	0	0	Assume development will complete within the five-year period.
728	Ingleby Barwick	Land At The Vale,Low Lane,High Leven	Committed	17/1613/OUT 20/2351/REM	0	0	0	0	0	0	0	0	0	0	9	0	9	0	3	3	3	0	Assume development will complete within the five-year period.
685	Rural	White House Farm, Whitton	Under Construction	18/2253/FUL	0	0	0	0	0	0	0	1	0	1	4	0	5	0	0	2	2	0	Assume development will complete within the five-year period.
738	Rural	Land West Of St Martins Way, Kirklevington	Under Construction	21/0156/FUL	0	0	0	0	0	0	0	19	40	59	38	31	97	38	0	0	0	0	Assume development will complete within the five-year period.

Site ID	Location	Address	Current Status	Application Reference	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	Completed	Remaining	Under Construction	Total Units	25/26	26/27	27/28	28/29	29/30	Summary Comment
747	Rural	Knowles Farm, Kirklevington	Under Construction	16/3146/OUT 21/0648/REM 24/0329/FUL	0	0	0	0	0	0	0	0	4	4	8	6	12	4	4	0	0	0	Assume development will complete within the five-year period.
796	Rural	Aislaby West Farm, Aislaby Road, Eaglescliffe	Committed	18/2000/FUL	0	0	0	0	1	0	0	0	0	1	7	7	8	7	0	0	0	0	Assume development will complete within the five-year period.
656	Stockton	Tithebarn Land	Pending	14/2291/EIS, 21/0249/REM, 21/1599/REM, 21/2130/FUL.	0	0	0	0	0	0	0	0	0	0	394	0	394	0	0	30	40	40	Development expected to commence during the five-year period.
811	Stockton	Land East of Yarm Back Lane (Persimmon Homes & Taylor Wimpey Plots)	Under Construction	20/0191/EIS	0	0	0	0	0	0	34	123	118	275	694	104	969	113	78	85	85	85	Developer phasing indicates significant delivery over the five-year period.
811	Stockton	Remainder of allocation for Zone E	Allocation	Allocation H1.6.b.E	0	0	0	0	0	0	0	0	0	0	30	0	30	0	0	0	0	0	No delivery expected in the five-year period. Residual land adjacent to Yarm Back Lane Development. Not included in 20/0191/EIS scheme and no progress.
818	Stockton	Darlington Back Lane	Allocation	Allocation H1.5.1	0	0	0	0	0	0	0	0	0	0	25	0	25	0	0	0	0	0	No delivery expected in the five-year period. No progress on development proposals.
820	Stockton	Bowesfield	Allocation	Allocation H1.5.3 & H1.5.4	0	0	0	0	0	0	0	0	0	0	187	0	187	0	0	0	0	0	No delivery expected in the five-year period.
820	Stockton	Bowesfield	Committed	20/1211/FUL	0	0	0	0	0	0	0	0	0	0	26	0	26	21	5	0	0	0	Assume development will complete within the five-year period.
821	Stockton	Magister Road, Thornaby	Allocation	Allocation H1.5.6	0	0	0	0	0	0	0	0	0	0	20	0	20	0	0	0	0	0	No delivery expected in the five-year period. Building occupier has not moved and no progress on redevelopment scheme.
825	Stockton	Harrowgate Lane (Zone D), West Stockton	Pending	Allocation H.1.6.D	0	0	0	0	0	0	0	0	0	0	392	0	392	0	0	37	37	37	Development expected to commence during the five-year period.
826	Stockton	Reserve Land, Harrowgate Lane, West Stockton	Allocation	Allocation H1.6.b	0	0	0	0	0	0	0	0	0	0	400	0	400	0	0	0	0	0	No delivery expected in the five-year period. No progress on development proposals.
878	Stockton	Summerville Farm, Harrowgate Lane, Stockton on Tees	Under Construction	22/0334/EIS 24/1398/REM	0	0	0	0	0	0	0	0	0	0	670	38	670	60	75	75	75	75	Developer phasing indicates significant delivery over the five-year period.
882	Stockton	Newland House, 304-308 Norton Road, Stockton on Tees, TS20 2PU	Committed	22/2109/COU	0	0	0	0	0	0	0	0	0	0	17	0	17	0	0	0	0	0	No delivery expected in the five-year period.
-	Stockton	Raleigh road	Pipeline	SBC Asset Site	0	0	0	0	0	0	0	0	0	0	18	0	18	0	0	0	9	9	Assume development will complete within the five-year period.
772	Thornaby	365 Thornaby Road	Under Construction	18/2680/FUL	0	0	0	0	0	0	0	0	0	0	8	8	8	0	2	4	2	0	Assume development will complete within the five-year period.
789	Thornaby	Land South of Thornaby Football Club, Acklam Road, Thornaby	Pending	18/0409/OUT 24/0211/REM	0	0	0	0	0	0	0	0	0	0	10	0	10	0	0	2	4	4	Assume development will complete within the five-year period.
530	Wynyard	Wynyard Golf Club, Wellington Drive, Wynyard	Committed	21/2620/FUL	0	0	0	0	0	0	0	0	0	0	126	0	126	0	0	0	0	22	Development expected to commence during the five-year period.
588	Wynyard	Wynyard Park Allocation (Remainder)	Allocation	Allocation H1.8 25/0704/FUL	0	0	0	0	0	0	0	0	0	0	728	0	728	0	0	30	30	60	Development expected to commence during the five-year period.
589	Wynyard	Wynyard Village Extension, Phase F, Wynyard	Under Construction	17/2777/REM 20/0753/VARY 22/1527/VARY 24/1610/VARY	0	0	0	3	27	16	48	20	33	147	133	0	268	27	26	27	26	15	Assume development will complete within the five-year period.
589	Wynyard	Land South Of Wynyard Village	Under Construction	17/2811/REM	0	0	0	0	0	0	0	1	1	2	14	4	16	4	4	4	2	0	Assume development will complete within the five-year period.
589	Wynyard	Land West of Maynard Grove	Under Construction	20/2408/OUT	0	0	0	0	0	0	0	0	15	15	115	45	130	20	20	25	25	25	Assume development will complete within the five-year period.
158	Yarm	Tall Trees Hotel, PHASE 2 east	Under Construction	15/2152/REM 20/0344/VARY	0	0	0	0	0	0	17	48	56	121	14	11	135	14	0	0	0	0	Assume development will complete within the five-year period.

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Site ID	Location	Address	Current Status	Application Reference	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	Completed	Remaining	Under Construction	Total Units	25/26	26/27	27/28	28/29	29/30	Summary Comment
537	Yarm	Mount Leven Farm, Leven Bank Road, Yarm	Committed	13/0776/EIS, 15/2161/REM	0	0	0	0	0	0	0	0	0	0	332	0	332	0	0	0	0	0	No delivery expected in the five-year period. Scheme implemented but unlikely to build out. Assume that any development will be outside of the five-year period.
609	Yarm	Land off Busby Way, Mount Leven, Yarm	Committed	14/0807/OUT, 17/2694/REM, 23/0064/VARY.	0	0	0	0	0	0	0	0	0	0	14	0	14	0	0	0	0	0	No delivery expected in the five-year period. Scheme is implemented, but uncertainty over delivery means it is unlikely to occur in the five-year period.
666	Yarm	Land South of Green Lane, East of Railway Line, West of A67 Yarm, TS15 9EH	Under Construction	18/0910/OUT	0	0	0	0	0	0	0	0	0	0	246	37	246	60	60	60	66	0	Assume development will complete within the five-year period. Two developers operating from the site.
699	Yarm	Field View Camp Site , Green Lane, Yarm	Under Construction	20/0866/OUT 21/0275/REM	0	0	0	0	0	0	0	0	0	0	6	6	6	6	0	0	0	0	Assume development will complete within the five-year period.
-	Thornaby	Stirling House	Pipeline	SBC Asset Site	0	0	0	0	0	0	0	0	0	0	40	0	40	0	0	0	20	20	Assume development will complete within the five-year period.
-	Billingham	Parkside	Pipeline	SBC Asset Site	0	0	0	0	0	0	0	0	0	0	30	0	30	0	0	0	15	15	Assume development will complete within the five-year period.
-	Stockton	Londonderry road	Pipeline	SBC Asset Site	0	0	0	0	0	0	0	0	0	0	10	0	10	0	0	0	5	5	Assume development will complete within the five-year period.
-	Core Area	Greatham Avenue / Fr Corus Pipe Mill	Committed	24/2127/FUL	0	0	0	0	0	0	0	0	0	0	58	0	58	0	0	14	22	22	Assume development will complete within the five-year period.
-	Billingham	Billingham Town Centre Regeneration	Pipeline	24/2028/FUL	0	0	0	0	0	0	0	0	0	0	160	0	160	0	0	0	0	0	No delivery expected in the five-year period. Masterplan for the site identifies residential development on site following major demolition works.

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## Appendix C - Small sites in the housing supply (April 2025 to March 2030)

Site	Location	Address	Application Reference	Completed	Remaining	Under Construction	Total Units	Total Delivery (2025-2030)
219	Core Area	Land adj 13 Hampton Road	23/0928/FUL	0	2	0	2	2
241	Rural	6 Seamer Road	16/2260/OUT 19/1689/REM	0	1	0	1	1
330	Wynyard	Land West of 14 Wellington Drive	21/0501/FUL	0	1	0	1	1
392	Rural	Townend Farm, Whitton, Stockton-on-Tees, TS21 1LQ	22/1192/FUL	0	1	0	1	1
416	Thornaby	118 Acklam Road, Thornaby, Stockton-on-Tees, TS17 7JR	17/2242/FUL	0	2	1	2	2
525	Stockton	Land at Letch Lane, Carlton	20/1038/FUL	0	4	4	4	4
552	Thornaby	399 Thornaby Road, Thornaby	13/2643/FUL 17/1958/VARY	0	1	1	1	1
615	Yarm	Far End Farm	20/2847/OUT 22/1588/REM	0	3	0	3	3
660	Rural	49 Wynyard Road, Wolviston	16/1526/FUL	1	1	0	2	1
721	Eaglescliffe	Claireville Hotel, 517-519 , Yarm Road	18/2640/COU 24/1132/COU	1	3	1	4	3
767	Thornaby	Land to the Rear of Harrier Close, Thornaby	22/2578/FUL	0	4	0	4	4
787	Stockton	239 Oxbridge Lane, Stockton on Tees, TS19 7AG	19/1873/OUT 22/2559/REM	0	2	0	2	2
798	Eaglescliffe	North of 25 Railway Terrace	20/0702/OUT 22/0650/REM	0	2	0	2	2
705	Rural	Leven Bridge Mill, Leven Bank Road, Yarm	16/3055/FUL	0	4	0	4	4
808	Stockton	85 Darlington Road	20/2664/FUL	0	1	1	1	1
814	Stockton	Long Drive,Darlington Lane,Stockton-on-Tees	20/2834/FUL	0	1	1	1	1
856	Rural	Barn Near to Coatham Lane Cottage, Coatham Stob, Elton	22/1060/PABRE	0	2	0	2	2
838	Rural	Vane Arms, Darlington Road, Long Newton	20/0717/FUL	0	1	0	1	1
839	Thornaby	412 Thornaby Road, Thornaby	21/1053/COU	0	2	0	2	2
847	Yarm	Land To The North Of Bentley Wynd The Old Market Yarm	21/2003/REV	0	1	1	1	1



Site	Location	Address	Application Reference	Completed	Remaining	Under Construction	Total Units	Total Delivery (2025-2030)
881	Rural	Oaklands Farmhouse, Low Lane, High Leven, Yarm, TS15 9JT	22/1738/FUL	0	2	0	2	2
672	Rural	The Stables ,Kirk Hill,Redmarshall	20/2638/FUL	0	1	0	1	1
853	Eaglescliffe	Carter Moor Farm, Durham Lane, Eaglescliffe	15/0684/FUL	0	1	1	1	1
778	Stockton	15 The Green, Norton, TS20 1EJ	19/1028/FUL	0	1	0	1	1
797	Rural	Follyfoot Banks, Calf Fallow Lane, Norton	19/1752/FUL	0	1	1	1	1
799	Rural	East Farm, Aislaby Road, Eaglescliffe	19/2617/FUL	0	1	0	1	1
850	Rural	Redwells, Letch Lane, Carlton, TS21 1EE	21/2184/FUL	0	1	0	1	1
854	Rural	Sutton Arms, Darlington Road, Elton	21/2318/RET	0	1	1	1	1
860	Rural	Land to the East of Briarcroft, Darlington Back Lane, Stockton-on-Tees	22/0391/PABRE	0	1	0	1	1
866	Rural	Tees Valley Lakes/Inspired Angling, A67 from Urlay Nook Road To Airport, Eaglescliffe, TS16 0QD	21/1380/OUT	0	1	0	1	1
875	Thornaby	Land East of 433 to 439 Thornaby Road, Thornaby, TS17 0AB	22/2394/REV	0	2	2	2	2
867	Rural	The Stables, Thorpe Road, Carlton	20/0700/PAPA 22/2166/FUL	0	1	1	1	1
868	Rural	Rosecote Farm Aislaby Road Eaglescliffe	22/2545/PABRE	0	1	1	1	1
880	Yarm	Land Adjacent to 70 Valley Drive, Yarm, TS15 9JQ	21/3078/FUL	0	1	0	1	1
885	Stockton	Leylandi Stables, Durham Road, Stockton on Tees, TS21 3LU	23/1847/OUT	0	1	0	1	1
889	Rural	Bay Tree House, Seamer Road, Hilton	23/1820/FUL	0	1	0	1	1
883	Stockton	Land At Junction Of Inkerman Street And Bishopton Lane, Stockton on Tees	22/2277/FUL	0	3	0	3	3
884	Eaglescliffe	Land South of Village Farm, Egglescliffe, TS16 9DH	22/2292/FUL	0	1	0	1	1
886	Stockton	Land to the Rear of 1 Mallory Road, Norton, Stockton on Tees	23/1543/FUL	0	1	0	1	1
887	Wynyard	Land off Stoney Wood Drive, Wynyard, TS22 5SN	23/0888/OUT 24/2161/REM 24/2162/REM	0	2	1	2	2

Site	Location	Address	Application Reference	Completed	Remaining	Under Construction	Total Units	Total Delivery (2025-2030)
850	Rural	Redwells, Letch Lane, Carlton, TS21 1EE	21/2183/FUL	0	1	0	1	1
892	Eaglescliffe	Farm Building West of 10 Black Bull Wynd Eaglescliffe	23/0044/PABRE	0	1	0	1	1
896	Yarm	143 High Street, Yarm, TS15 9AY	23/1416/COU	0	1	0	1	1
898	Stockton	7 Harland Place, Norton, TS20 1AL	24/1135/COU	0	1	0	1	1
906	Core Area	47 Yarm Road, Stockton on Tees TS18 3PE	24/0171/FUL	0	1	0	1	1
907	Rural	Maltby Grange Roger Lane Maltby	21/2904/FUL	0	3	0	3	3
714	Eaglescliffe	Land South Of 18 Preston Lane Stockton-on-Tees TS18 3RG	24/1123/FUL	0	1	0	1	1

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**Appendix D - Demolitions and losses 2025 - 30**

Ref	Location	Reference	Address	Total	Completed	Remaining
609	Yarm	14/0807/OUT	Land off Busby Way, Mount Leven, Yarm	1		1
747	Rural	16/3146/OUT	Knowles Farm, Kirklevington	1		1
881	Rural	22/1738/FUL	Oaklands Farmhouse, Low Lane, High Leven, Yarm, TS15 9JT	1		1
897	Eaglescliffe	24/1184/FUL	1 - 3 Copsewood Mews	2		2
	Billingham	24/2028/FUL	Town Centre Regeneration	9		9
839	Thornaby	21/1053/COU	412 Thornaby Road, Thornaby	1		1
855	Rural	22/0690/FUL	Bottle Hill Farm Wynyard Road Thorpe Thewles	1		1
871	Rural	23/0575/COU	Thorpe Leazes Farm House, Thorpe Leazes Lane, Thorpe Thewles	1		1
882	Stockton	22/2109/COU	Newland House, 304-308 Norton Road, Stockton on Tees, TS20 2PU	15		15
876	Billingham	23/1406/LA	2 Speeton Close, Billingham, TS23 3YH	1		1
874	Billingham	23/0649/FUL	91 Wolviston Road, Billingham, TS23 2SF	1		1
901	Stockton	24/1672/COU	87 Hampton Road Stockton-on-Tees TS18 4DX	1		1
835	Thornaby	24/1531/FUL	75 Millbank Lane, Thornaby	1		1
895	Stockton	24/1335/CPL	35 Norwood Close, Stockton on Tees, TS19 0UP	1		1
903	Ingleby Barwick	24/1777/CPL	6 Church Field Way Ingleby Barwick TS17 5AN	1		1
904	Stockton	24/1932/CPL	13 Fordwell Road Stockton on Tees TS19 7JY	1		1
908	Rural	24/1931/CPL	2 Beech Grove Maltby TS8 0BL	1		1
910	Rural	25/0440/CPL	Woodside Darlington Road Elton TS21 1AG	1		1
				<b>41</b>	<b>0</b>	<b>41</b>

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## DELEGATED

Report to Planning  
Committee

5<sup>th</sup> November 2025

Report of Director of Regeneration  
and Inclusive Growth

## Planning Compliance Performance Report

### Summary

Following members requests for quarterly updates to be provided to Members on Planning Compliance caseloads and performance, this is the latest quarterly report (Quarter 2, 2025/26).

### Recommendation(s)

That Members note the contents of the report

### Background

1. The Stockton on Tees Local Enforcement Plan (LEP) was approved at planning committee in September 2024 and became 'live' on the 1<sup>st</sup> November 2024 and this report provides the latest quarterly report.
2. As part of the LEP, service targets were introduced which are;
  - 70% of enforcement case closed where no breach identified within 20 working days.
  - 60% of enforcement requests receiving an initial response, for example no breach of control identified or further investigation to be undertaken, within 10 working days.
  - 60% of planning enforcement cases, where the case actions are determined within the established priority timescales.

### Detail

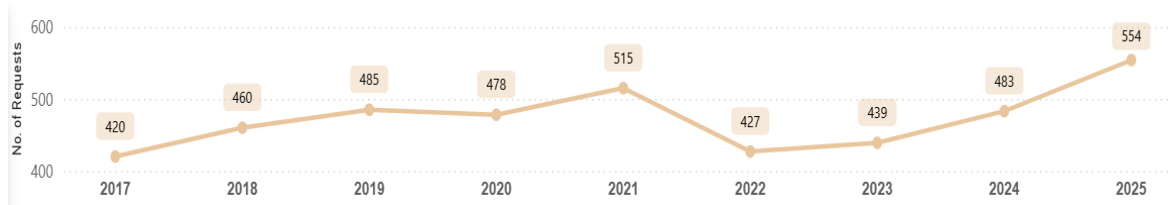
3. Appendix 1 provides members with a snapshot of the over the last quarter's performance for the planning compliance function. Some narrative and explanation of current performance and trends are also detailed below;

#### Quarter 2, 2025/26 Performance

4. As can be seen from Appendix 1 below, performance against the internal performance standards remains high with the relevant thresholds being exceeded in the majority of cases, and overall 98% of all the number of cases in the last quarter have had case actions determined within the identified priority period.

5. As detailed within table 1 below, over the last quarter the number of cases received has again increased. The chart below shows this is consistent with an upward annual trend in compliance cases being received since 2022.
6. Notwithstanding that, the overall time to process cases has reduced on the previous quarter demonstrating that the processes introduced to both manage and maintain momentum on compliance cases are continuing to work well.

**Chart 1: Total cases received annually since 2017**



7. A number of cases have resulting in formal enforcement action, with notices having been served on three occasions this quarter with assistance from the Council's Legal Services team.

**Table 1: Comparisons over quarters since introduction of Local Enforcement Plan**

	Requests received	Requests determined	Av days to process	Notices Served
<b>Q4 (24/25)</b>	127	85	29	2
<b>Q1 (25/26)</b>	167	112	14	6
<b>Q2(25/26)</b>	204	148	12	3

8. Additionally, following the serving of notices in quarter 1, four notices have been fully complied with and those breaches of control have been resolved.
9. Non-compliance with an enforcement notice is a criminal offence and unfortunately there are two cases where enforcement notices have not been complied with. As a result Officers are liaising with colleagues in legal services over appropriate next steps which may include prosecution.
10. Additionally, as a result of undertaking works in default associated with a Section 215 case, we are also seeking to recover costs through the courts.
11. For completeness, at the time of writing, the total number of unresolved compliance cases currently equates to 223, with 66 cases being historic cases received before the introduction of the Local Enforcement Plan.

### Next update

12. The next quarterly update will be quarter 3 of 2025/26 (October - December), which is anticipated being reported in January 2026.

### Financial Implications

Potential associated costs in pursuing legal action over non-compliance with enforcement notices.



### **Environmental Implications**

Not applicable

### **Legal Implications**

Potential implications as a result of pursuing legal action over non-compliance with enforcement notices.

### **Community Safety Implications**

The provisions of Section 17 of the Crime and Disorder Act 1998 have been considered in the preparation of this report.

### **Human Rights Implications**

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

### **Ward and Ward Councillors**

All

### **Background Papers**

Stockton on Tees Local Plan  
Town and Country Planning Act  
Stockton on Tees Local Enforcement Plan

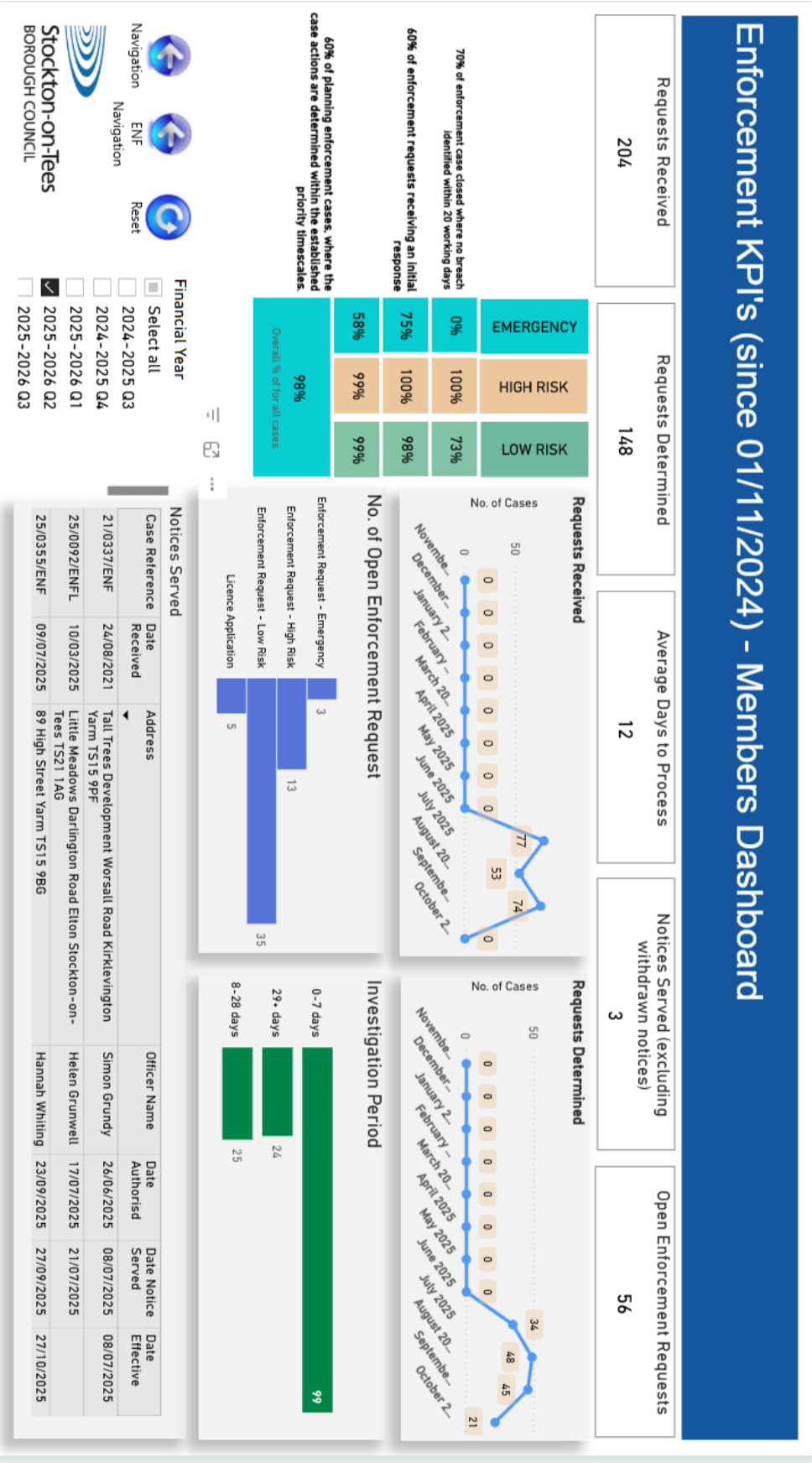
Name of Contact Officer: Simon Grundy

Post Title: Planning Services Manager

Telephone number: 01642 528550

Email Address: [simon.grundy@stockton.gov.uk](mailto:simon.grundy@stockton.gov.uk)

Appendix 1: Local Enforcement Plan performance indicators



## Appeal Decision

Site visit made on 10 September 2025

**by Alison Scott (BA Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 25 September 2025**

**Appeal Ref: APP/H0738/W/25/3364970**

**93 Bishopton Road, Stockton-on-Tees TS18 4PG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Shaide Iqbal against the decision of Stockton-on-Tees Borough Council.
- The application Ref is 24/2110/RET.
- The development proposed is Demolition of an existing property and rebuilding in the same location.

### Decision

1. The appeal is allowed and planning permission is granted for Demolition of an existing property and rebuilding in the same location at 93 Bishopton Road, Stockton-on-Tees TS18 4PG in accordance with the terms of the application, Ref 24/2110/RET and subject to the following conditions in the attached schedule.

### Main Issues

2. The main issues with regards to the proposal are the effect upon:
  - The character and appearance of the local area; and
  - The living conditions of local residents by way of overlooking and loss of privacy, and sense of overbearing.

### Reasons

#### *Character and appearance*

3. The appeal site forms part of a residential suburb consisting of a mixed character of detached and semi-detached houses and some bungalows. The ages and styles of dwellings varies within the local area although red brick and coloured render are a consistent finished materiality throughout.
4. At the time of my site visit, I could see no evidence of the former bungalow that was originally positioned on site as a significant amount of development had commenced to erect a dwelling although building work appeared to have ceased.
5. Number 91 Bishopton Road adjacent is semi-detached and appears to be Edwardian in character as well as some of the other adjacent houses along this side of Bishopton Road. These houses are similar in style and characterful with ground floor bay windows and decorative porches. Houses of a later age sit opposite the appeal site with double height walk-in bay windows.
6. The external design of the proposed dwelling has taken design cues from the local vernacular using double height walk-in bay windows with proportionality to the

fenestration details, symmetry to the ground floor front elevation and projecting porch in line with the ground floor front bays.

7. In terms of the layout of the proposal, as a corner plot with a wide frontage to Bishopton Road, the plot differs from the narrower plots of the semi's adjacent. Therefore, the proposed width of the dwelling that spans the majority of the plot would comfortably sit within it and as it would be set back from the road like others on this side, would also create a sense of spaciousness to the dwelling. The proposed building line would also broadly follow that of the adjacent houses along this side of Bishopton Road to which it closely relates. As a proposed two storey dwelling, this is also a predominant characteristic of the local area and would therefore not appear out of scale in this context.
8. I could see from my site visit that yellow coloured brick is not characteristic of the local area. The appellant confirms their intention to fully render the dwelling. Render finish in both complete entity and as design features to other dwellings is a commonality within the street scene. A complete smooth render finish, ivory in colour would therefore appear appropriate in this location, as well as russet coloured roof tiles.
9. Overall, the design and layout would appear appropriate in this location within this residential area and therefore respect the mixed local character and its overall local distinctiveness.
10. Whilst the development is not a domestic extension, I therefore find no relevance to policy SD3 criterion 7 of the Stockton on Tees Local Plan in this regard. However, it would comply with the design objectives of Policy SD8 of the Stockton on Tees Local Plan and the National Planning Policy Framework that aims to achieve well designed places.

#### *Living conditions*

11. Hazelbrook is a small, single storey property located on Allendale Road positioned to the rear of the appeal site. The side elevation of Hazelbrook would face the rear elevation of the appeal site.
12. There are high-level windows to the gable end of Hazelbrook serving habitable rooms. Due to the position of the first floor habitable room windows of the proposal, and relationship with the adjacent neighbour, I am of the view that these windows would not directly overlook those of Hazelbrook. The separation distance of around eleven metres away would also provide a sense of separation between the two. Whilst there would be some loss of privacy due to overlooking from habitable room windows, this would be limited and would not lead to a detrimentally reduced effect upon the living conditions of the adjacent occupants.
13. The ground floor windows of the proposal would have an outlook largely towards the side elevation of Hazelbrook and the garage. Both the existing timber boundary fence and tree located within the rear garden space are identified to be retained on the plans before me, and would provide some screening mitigation to the neighbour's garden. This would therefore reduce the potential to overlook and cause a loss of privacy to their living conditions. Therefore, the occupants' living conditions would be safeguarded in this respect.

14. All things considered, due to the separation distances that would be achieved to adjacent neighbours, relationship with these neighbours, the proposed position within the plot, overall scale, location of habitable room windows, it would not be so detrimental as to lead to severe overlooking and loss of privacy, or sense of overbearing to adjacent occupants.
15. Therefore, the proposal would comply with the living conditions safeguarding aims of policy SD8 of the Stockton on Tees Local Plan.

### **Other Matters**

16. Issues pertaining to site security, anti-social behaviour at the site and storage of materials, the effects of litter and vermin, and overall condition of the site has been brought to my attention. These issues can be addressed through other means outside my control. The removal of asbestos from the site can also be controlled by other means than this appeal process. The effect of the proposal on shared boundary treatments is not a planning matter and concerns pertaining to the condition of the existing garage on site is not within my scope to comment upon. The quality of workmanship and building control matters can be addressed through separate Council regulatory services.
17. Flood risk has not been raised by the Council. I have no reason to come to the view that the site would cause a risk of flooding off-site. Three incurtilage parking spaces are to be provided on site with access taken from the existing highway access. Highway safety at the site has been found to be acceptable by the Council's Transport Planner and I have no reason to come to an alternative view.
18. The tree protection order on site is noted and the appellant has provided a tree survey for three trees. The root protection areas are outside the footprint of the proposed dwelling. I find no reason to disagree with this professional report that can secure the protection of these important trees.

### **Conditions**

19. I have reviewed the conditions submitted by the Council in accordance with the 'six tests' of paragraph 57 of the National Planning Policy Framework (the Framework) for compliance. A plans condition is necessary in the interest of good planning and negates the need for a separate condition relating to rebuilding of the rear elevation. A materials condition is necessary to ensure a satisfactory finish to the proposal. Due to the trees on site, the tree protection measures shall follow the recommendations within the Arboricultural Impact Assessment and BS 5837 Tree Survey. In the interest of protecting the living conditions of the adjacent occupants at Hazelbrook, the first-floor bathroom window shall be obscurely glazed. As this is a non-habitable room, to restrict its opening would not reasonably comply with paragraph 57 of the Framework.
20. In the interest of protecting the living conditions of neighbouring occupants, the Council recommends the permitted development rights of the dwelling shall be removed. Considering the 'six tests' of paragraph 57 of the Framework, and what I deem reasonable to remove, I am content that the removal of the permitted development rights shall be limited to Classes A, B, C and E in order for the Council to assess the impact of any further development at the site.

21. As three off-street car parking spaces are required to support a four-bed home in the interest of highway safety, these spaces shall be implemented before the dwelling becomes occupied. As the dwelling is a self-build construction with no biodiversity net gain obligation, in accordance with the Self-build and Custom Housing Act 2015, a condition to satisfy the requirement, is applied to this permission. The hours of construction operations at the site are conditioned to ensure the living conditions of local residents are not adversely affected in this dense residential area.

**Conclusion**

22. For the reasons given above the appeal should be allowed.

*Alison Scott*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall be carried out in accordance with drawing nos and Z24.23(9-)2C dated 19 February 2025, Z24.23(21)2B dated 6 February 2025, Z24.23(21)3B dated 6 February 2025, Z24.23(9-)1 dated 11 December and plan no. Z24.23(21)1 dated 11 December 2024.
- 2) The external surfaces of the development and hard landscaping around the site hereby permitted shall be constructed in the materials shown on plan no Z24.23(9-)2C dated 19 February 2025, and Schedule of Materials submitted to the Council on 28 March 2025 and implemented prior to the occupation of the dwelling.
- 3) All the trees shown on the landscaping plan within the Arboricultural Impact Assessment and BS 5837 Tree Survey and tree within rear garden as indicated on plan reference Z24.23(21)2B dated 6 February 2025 shall be protected by protective fencing in accordance with the protective fencing details within the Arboricultural Impact Assessment and BS 5837 Tree Survey. The fencing shall be erected before any further works continue on site or equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made.
- 4) The bathroom window to the first floor shall be fitted with factor 4 obscure glazing prior to the occupation of the dwelling and retained for the lifetime of the development.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A, B, C and E of Part 1 of Schedule 2 to the Order shall be undertaken.
- 6) The car parking spaces shall be laid out on site in accordance with plan reference Z24.23(9-)2C dated 19 February 2025 prior to the occupation of the dwelling, and retained for the lifetime of the development.
- 7) The dwelling hereby permitted shall be construed as a self-build dwelling within the definition of self-build and custom build housing in the Self-build and Custom Housing Act 2015 (as amended): i) The first occupation of the unit shall be by a person or persons who had primary input into the design and layout of the dwelling. ii) The Council shall be notified in writing of the



persons who intend to take up first occupation of the dwelling hereby permitted at least two months prior to first occupation.

- 8) Demolition or construction works shall take place only between 08:00 and 18:00 Mondays to Fridays and 09:00 and 13:00 Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

**End of Schedule**