

# Planning Committee

A meeting of Planning Committee was held on Wednesday, 7th December, 2022.

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

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

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

**Apologies:** Cllr Dan Fagan, Cllr Mrs Sylvia Walmsley

**P Evacuation Procedure**

**38/22**

The Evacuation Procedure was noted.

**P Declarations of Interest**

**39/22**

There were no declarations of interest.

**P Planning Protocol**

**40/22**

The Planning Committee Procedure was noted.

**P 22/1669/FUL**

**41/22**

**Industrial development comprising of the erection of a manufacturing facility within Use Class B2/B8 (industrial, storage and distribution) with ancillary office space, gatehouse, liquid waste treatment plant, solid waste management building, landscaping, parking, service areas and associated works.  
Former Billingham Synthonia Football Club, Billingham,**

The Chairman of the Planning Committee agreed to hear the officers report, public representations, and member debate in relation to items 22/1669/FUL and 22/1388/FUL, as one, as both items related to the same development.

The Planning Officer outlined planning application 22/1669/FUL Industrial development comprising of the erection of a manufacturing facility within Use Class B2/B8 (industrial, storage and distribution) with ancillary office space, gatehouse, liquid waste treatment plant, solid waste management building, landscaping, parking, service areas and associated works on the former Billingham Synthonia Football Club, Billingham, along with planning application 22/1388/FUL Former Billingham Synthonia Football Club, Engineering operations associated with ground preparation works, including foundation piling, for end-use development.

Planning permission was sought for the erection of a new manufacturing facility and for associated piling works to be undertaken at the former Billingham

Synthonia Football Club, Billingham,

The applications were presented to the Planning Committee as there was a Departure from the Local Plan due the applications being contrary to policy as they resulted in a loss of a playing field and did not meet any of Sport England's exceptions. Nonetheless the proposed development would bring significant economic benefits to the area and when assessing the applications as a whole it was considered that the benefits from the scheme outweighed the harm, especially when considered against the ongoing work to deliver sports facilities in Billingham.

Should members be minded to approve the applications, due to the objections from Sport England in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the applications would be referred to the Secretary of State for consideration.

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 applications were contained within the main report.

The Planning Officers report recommended that the Planning Committee be minded to approve both applications for the reasons as specified within the main reports and that delegated powers be given to the Planning Services Manager to amend any conditions as necessary.

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

- The applications did not appear to meet any of Sport England's expectations.
- Additional information was required relating to future additional sports facilities at Bede Sixth Form College located on Marsh House Avenue.
- Clarity was sought as to whether there were any current protected species on the application site.
- In terms of tree retention, Members asked (as detailed within the Officers report) what species tree T12 was.
- Questions were raised relating to Solar Panel lighting and the impact this may have on neighbouring properties.
- Noise disturbance was an issue, although some of the impact regarding noise had been mitigated, however the informatives contained within the Officers report stated a permit under The Environmental Permitting (England and Wales) Regulations 2016 would likely to be rejected but didn't state definitely why not?
- Although the land was considered to be suitable for the expansions of Fujifilm,

Members asked if the land was viable as the application site had an existing use. Billingham Synthonia Football Club needed to come back to its hometown, and playing grounds for young people particularly, needed to be protected in derelict areas, therefore, Members needed to way up the loss of a sports ground.

- Sport England had stated that there was demand for the site as a playing field and that the NPPF para 99 protected the loss of playing fields. It appeared that Stockton Borough Council had not originally consulted with Sport England.

- The owners had wanted to sell the site however were unable to do so as it could only be sold as a sports / leisure facility. The site was derelict and there was no way it could be brought back as a sports facility.

- Some Members were surprised that Sports England would defend the retention of the playing field.

- On balance the application made sense, particularly as it would bring jobs to the area and a future sports hub facility in Billingham.

- The response from Sports England was puzzling as they allowed 2 playing fields in Thornaby to be lost for housing development.

- A planning decision could not be made solely on jobs.

- Members sought clarity regarding what the piling plan was depicting in terms of the squares and dots (contained within the Officers report).

- Concerns were raised relating to the noise from the construction of the site and whether this would be carried out during school holidays as the site was in close proximity to a local school.

- Ground works had already started on the application site, which raised questions as to whether those works required planning permission?

- In terms of the future sports hub / replacement pitch could the Football Foundation look elsewhere within the Borough or wider area for a facility?

- Why were there 2 applications for 1 site?

- Local jobs could not be guaranteed as people could travel in from outside of the area. The current contractors working on the site were form Hartlepool!

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

- Officers had highlighted to the Committee the location of the possible future sports hub would be which would replace the playing field.

- In terms of Sport England, if a playing field had not been in use for 5 years, then it was considered no longer a used site but this site was allocated as part of the Local Plan in 2019.

- Sport England were consulted as soon as the application was submitted, they were fully aware of the position of Stockton Borough Council and its future plans.
- Members needed to weigh up whether the economic loss to the town would be worth refusing the application.
- Currently there were no protected species on site however there was mitigation proposed to ensure ecology was adequately protected.
- Tree T12 was a lime tree and there was a tree retention plan. The embankment would be removed alongside some lower quality trees allowing better-quality trees to flourish and grow.
- The development was 50 metres from the solar panel lighting and the development would therefore have no impact on the neighbouring property.
- Environment Agency permits would only be refused if they did not comply with their conditions. This was down to the Environment Agency not Stockton Borough Council and was added as an informative.
- Although the site was listed as a sports facility it had not been in use for a number of years. The site had become a place for Anti-Social Behaviour, in addition the stadium was in disrepair and becoming dangerous. This site had not been a sports facility for a significant number of years and was a blight on the environment.
- Regards the piling plan, Officers explained that the plan was showing Continuous Flight Auger Piling which was less intrusive in terms of noise compared to other piling options.
- Member's attention was drawn to paragraph 41 and 42 of the Officers report which stated the following:
 

'It is also noted that the former Billingham Synthonia facility has remained out of use and in its current vacant state since 2017 and the stadium was demolished by 2020. The site is within private ownership and has no realistic probability of becoming as sports facility once more'.

'The Football Foundation will shortly be commencing engagement with strategic partners and following this the Council will then be undertaking wider community engagement. SBC are hopeful that Football Foundation Board Approval will be achieved in March 2023 which would allow progression to further design stages and ultimately the delivery of a Hub site in late 2024 / early 2025. Should the Hub Programme not be successful SBC will continue to work with our football league pyramid clubs over their sustainable future'.
- Work was currently being carried out on site which was at the Applicants own risk should the application not gain approval.
- Stockton on Tees Borough Council were committed to working towards replacing the playing field at the former Billingham Synthonia Football Club.

- There were 2 applications as the applicant did not realise that the piling application required referral to the Secretary of State.
- In terms of local jobs, Officers were aware that Fujifilm worked closely with Bede Sixth Form College and Teesside University
- Officers drew Member's attention to condition 23 which detailed plans for employment and training and aimed to promote training and employment opportunities at all stages of the development for local people.

A vote took place and the application was approved.

RESOLVED that Members be minded to approve planning application 22/1669/FUL subject to the following conditions and informatives and that the decision be delegated to the Planning Services Manager to amend any conditions deemed necessary following consideration by the Secretary of State.

#### 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

22085-ARC-DRG-0501	27 July 2022
22085-ARC-DRG-0530	25 July 2022
22085-ARC-DRG-0502 REV A	27 July 2022
22085-ARC-DRG-0504	25 July 2022
22085-ARC-DRG-0505	25 July 2022
22085-ARC-DRG-0506	25 July 2022
22085-ARC-DRG-0507	25 July 2022
22085-ARC-DRG-0508	25 July 2022
22085-ARC-DRG-0509	27 July 2022
22085-ARC-DRG-0510	27 July 2022
22085-ARC-DRG-0511	27 July 2022
22085-ARC-DRG-0512	25 July 2022
FUBO-RYD-ZZ-XX-DR-L-2101-S2-P3	25 July 2022
22085-ARC-DRG-0520	27 July 2022
22085-ARC-DRG-0540	27 July 2022
22085-ARC-DRG-0550	25 July 2022
22085-ARC-SKH-0107 Rev T1	18 November 2022
22099 001 REV B	17 November 2022
22085-ARC-DRG-0503	18 November 2022

#### 03 Drainage

Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Proposed Drainage Plan" dated "27th May 2022". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 5801 and ensure that surface water discharges to the combined sewer at manhole 5801. The surface water discharge rate shall

not exceed the available capacity of 10.9 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

#### 04 Construction traffic management plan

Construction should not commence until written details of a construction phase traffic management plan ("CTMP") for the management of construction traffic incorporating the number of construction trips, routing, timing, access details, wheel wash facilities and vehicle parking for contractors has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways.

#### 05 Construction Environmental Management Plan (CEMP)

Work shall be undertaken in accordance with the Framework Construction Environmental Management Plan (CEMP) Document Number: FDBK-BOR-CON-PLN-0001.

#### 06 Operational Management Plan

Prior to the first occupation of the development hereby approved an Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with National Highways. Thereafter unless otherwise agreed in writing the development shall be operated in accordance with the approved Operational Management Plan.

#### 07 Travel Plan

Notwithstanding the submitted details prior to the development being brought into use, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- (i) the appointment of a travel co-ordinator with roles, responsibilities, timescales to be in place (minimum 5 years) and contact details
- (ii) Modal split targets and measures to achieve these targets, which must be SMART: Specific Measurable, Achievable, Realistic and Timebound;
- (iii) Details of when the Travel Plan is to be monitored and reviewed including timescales for when travel surveys are to be carried out.
- (iv) Details of an exit strategy of how the Travel Plan will be continued once the TPC has left the site (e.g. a community travel plan forum/group established) and a partnership approach to influence travel behaviour
- (v) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- (vi) provision of up-to-date details of public transport services
- (vii) continual appraisal of travel patterns and measures provided through the travel plan
- (viii) improved safety for vulnerable road users
- (ix) a reduction in all vehicle trips and mileage
- (x) a programme for the implementation of such measures and any proposed physical works
- (xi) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The approved Travel Plan shall be implemented, and the development shall thereafter be carried out and operated in accordance with the approved Travel Plan.

## 08 Energy Efficiency

Prior to the erection of any buildings, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall identify the predicted energy consumption, the associated CO2 emissions and how the energy hierarchy has been applied to the development, including an investigation into the feasibility and viability of connection to decentralised energy networks for heat and power and the achievement of a “Very Good” BREEAM 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.

## 09 Further Site investigation and Verification Report

No occupation of any building forming part of the hereby permitted development shall take place until a verification or validation report is submitted in writing to the local authority, demonstrating that further testing of area TP20 referred to in the site investigation report (Report Ref S220408, May 2022) has been undertaken to ascertain the extent of contamination. This ought to be assessed against the LQM/CIEH 'Suitable 4 Use Levels' present soil assessment criteria, and waste classification undertaken. The report shall include results of sampling and monitoring carried out, (within a 5 metre radius of the affected area) and provide evidence that all excavated contaminated material has been either removed from the site, or covered by hardstanding material. Where there is landscaping, a cover system ought to be installed and verified in accordance with the 'Verification requirements for Cover Systems – technical guidance for developers, landowners and consultants.' (YLPAG, June 2021)

## 10 Lighting

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

## 11 Arboricultural Method Statement and Tree Protection

Prior to the removal of any mounding/trees an updated arboricultural method statement and detailed tree protection plan, which must consider protection of all trees and their roots at different stages of construction shall be submitted and approved in writing by the local planning authority. This must be in close accordance with:

1. BRITISH STANDARD 5837:2012 Trees in relation to design, demolition and construction – Recommendations
2. BRITISH STANDARD 3998:2010 Tree Work - Recommendations
3. NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007 Work shall be undertaken in accordance with the approved details

#### 12 Tree Retention Zone

All trees within the "Tree Retention Zone" shown on plan ref. 22085-ARC-SKH-0107 shall be retained unless it is not feasible to do so in order to implement the approved scheme and is expressly agreed with the Council's Principal Tree and Woodlands Officer on site. Prior to any works being undertaken to trees within the Tree Retention Zone, a Tree Retention and Management Strategy shall be submitted to and be approved in writing by the local planning authority and shall set out how the area within the Tree Retention Zone, and the retained trees therein, shall be managed and maintained. Once approved in writing, the Tree Retention and Management Strategy shall be implemented and maintained thereafter.

#### 13 Tree Retention

Notwithstanding the submitted plans tree T12 close to the site entrance shall be retained unless removal is later agreed in writing with the local planning authority.

#### 14 Soft Landscaping

Notwithstanding the submitted plans, prior to the erection of any above ground development, full details of Soft Landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

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

#### 15 Maintenance – Softworks

No soft landscaping shall be provided until full details of proposed soft landscape management shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include maintenance access routes, 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 the development or approved phases.

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

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.



#### 16 Noise disturbance from New Plant

Prior to the installation of any new plant, full details including a noise assessment, shall be submitted and approved in writing by the local planning authority. The rating level of sound emitted from any fixed plant associated with the development shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 1 hour LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location to be agreed with the local planning authority 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. Work shall be undertaken in accordance with the approved details.

#### 17 Odour nuisance

Prior to occupation, full details of any odour abatement measures for the liquid waste plant shall be submitted and approved in writing with the local planning authority. The plant shall be operated in full accordance with the approved details.

#### 18 Cycle Storage

The cycle storage as shown on plan ref. 22085-ARC-DRG-0503 shall be installed and available to use prior to the occupation of each building/block. The scheme shall be implemented in full and retained for the life of the development.

#### 19 Electric Vehicle Charging

The electric vehicle charging points shown on plan ref. 22085-ARC-DRG-0503 shall be in place and available for use prior to the occupation of the buildings.

#### 20 Ecology

The development hereby approved shall only be undertaken on site in accordance with the recommendations and mitigation as detailed Section G of the in the submitted Ecological Appraisal Project Number 6918 Version R01 by E3 Ecology Ltd.

#### 21 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.

#### 22 Construction 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) outside of these hours or on Sundays or on Bank Holidays without the prior consent of the Local Planning Authority having first been obtained.

### 23 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.

### 24 Employment and Training

The development hereby approved shall not commence until details of a Training and Employment Management Plan, has been submitted to and approved in writing by the Local Planning Authority. The plan will aim to promote training and employment opportunities at all stages of the development for local people and include:

The development shall be carried out in accordance with the agreed plan and any amendments to the plan shall be agreed in writing with the local planning authority.

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour
- Details of how services and materials used in the development are provided by businesses within the Target Areas
- Reasonable steps to procure that any contractor and / or subcontractor nominate an individual to liaise with the Principal Employability Officer.
- Targets for work experience opportunities Measures to provide training opportunities in respect of any new jobs created
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority. Reason: In the interests of promoting economic and training opportunities in association with approved developments in accordance with saved local plan Policy SD4 and the National Planning Policy Framework.

## 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 :Environmental Permit

This development will require a permit under The Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency. We recommend that the applicant contacts Joe Catterson at [joe.catterson@environment-agency.gov.uk](mailto:joe.catterson@environment-agency.gov.uk) to discuss the issues likely to be raised. The Environmental Permitting (England and Wales) Regulations 2016 state that permitted sites should not harm human health or pollute the

environment. The operator is therefore required to have measures in place which will:

- prevent pollution
- ensure that there is no harm to human health, the quality of the environment, or the surrounding amenity
- ensure that there is no offence to a human sense or damage to material property

We would likely reject any permit application which did not include this information.

The operations of the facility will fall under the regulatory scope of the Environment Agency. It is, therefore, recommended that the applicant ensures the facility is constructed to comply with the requirements of the Medium Combustion Plant Directive (MCPD) and the Environmental Permitting (England and Wales) (Amendment) Regulations 2018. Under the terms of the MCPD, it is likely that a permit will be required before the plant can operate. The applicant is advised to contact us for further information (as detailed above) and/or to apply for a permit by contacting our National Customer Contact Centre by email at: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk) or by telephone on 03708 506 506.

Further advice is available on the gov.uk website at:

<https://www.gov.uk/topic/environmentalmanagement/environmental-permits> It is recommended that the applicant considers the implementation of the following features for their site design:

- Use of low-carbon cement to reduce carbon footprint and use of natural resources;
- Solar Panels on externals of buildings to off-set energy use on site and reduce the parasitic load of the carbon capture plant;
- LED directional lighting to reduce energy use;
- Low solvent paints to prevent polluting emissions to air;
- Ground-source heating to heat/cool buildings;
- Encourage the use of Electric Vehicles or similar alternatives by employees and contractors during the construction and operational phases of the site to reduce climate change.

Extreme events: It is recommended that extreme events, for example pandemics, and extreme climate such as storms, extreme winds, droughts and freezing are considered at the design stage of the development and how they may affect and possibly change the proposed building design, building location/orientation, plant operating conditions etc.

Informatives: Network Rail

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with the Asset Protection Team prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety.

It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance.

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside

fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway. This is in accord with the new guidance for road/rail vehicle incursion NR/LV/CIV/00012 following on from DfT advice issued in 2003, now updated to include risk of incursion from private land/roadways.

Useful Network Rail contacts;

Asset Protection Eastern - For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email [assetprotectioneastern@networkrail.co.uk](mailto:assetprotectioneastern@networkrail.co.uk). Land Information - For enquiries relating to land ownership enquiries, please email [landinformation@networkrail.co.uk](mailto:landinformation@networkrail.co.uk).

Property Services - For enquiries relating to agreements to use, purchase or rent Network Rail land, please email [propertyservicesneem@networkrail.co.uk](mailto:propertyservicesneem@networkrail.co.uk)

**P 22/1388/FUL**  
**42/22 Former Billingham Synthonia Football Club,**  
**Engineering operations associated with ground preparation works,**  
**including foundation piling, for end-use**  
**development.**

See Minute above in respect of 22/1388/Former Billingham Synthonia Football Club, Engineering operations associated with ground preparation works, including foundation piling, for end-use development.

RESOLVED that Members be minded to approved application 22/1388/FUL subject to the following conditions and informatives and that the decision be delegated to the Planning Services Manager to amend any conditions deemed necessary following consideration by the Secretary of State.

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
22085-STR-DRG-1604	20 September
2022 22085-ARC-DRG-0503	14 October 2022
22085-ARC-DRG-0560	16 June 2022
22085-ARC-DRG-0561	16 June 2022

03 Construction 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)

outside of these hours or on Sundays or on Bank Holidays without the prior consent of the Local Planning Authority having first been obtained.

#### 04 Ecology

The development hereby approved shall only be undertaken on site in accordance with the recommendations and mitigation as detailed Section G of the submitted Ecological Appraisal (Project Number 6918 Version R01) by E3 Ecology Ltd.

#### 05 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.

#### 06 Lighting

Notwithstanding the submitted details, prior to any temporary or permanent lighting being erected, details of any such lighting shall be submitted to and approved in writing by the local planning authority. Any lighting shall be erected in accordance with the agreed details.

#### 07 Construction Environmental Management Plan

Work shall be undertaken in accordance with the Framework Construction Environmental Management Plan (CEMP) Document Number: FDBK-BOR-CON-PLN-0001.

#### 08 Arboricultural Method Statement and Tree Protection

Prior to the removal of any mounding/trees an updated arboricultural method statement and detailed tree protection plan, which must consider protection of all trees and their roots at different stages of construction shall be submitted and approved in writing by the local planning authority. This must be in close accordance with:

1. BRITISH STANDARD 5837:2012 Trees in relation to design, demolition and construction – Recommendations
2. BRITISH STANDARD 3998:2010 Tree Work - Recommendations
3. NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007 Work shall be undertaken in accordance with the approved details.

#### 10 Tree Retention Zone

All trees within the "Tree Retention Zone" shall be retained unless expressly agreed with the Council's Principal Tree and Woodlands Officer on site. Once agreed a Management Strategy shall be submitted to and approved in writing by the local planning authority and shall set out how the area within the Tree Retention Zone, and the retained trees therein, shall be managed and maintained. Once approved in writing, the Tree Retention and Management Plan shall be implemented and maintained thereafter.

#### 11 Tree Retention

Notwithstanding the submitted plans tree T12 close to the site entrance shall be

retained unless removal is later agreed in writing with the local planning authority.

#### 12 Unexpected Land Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

#### Fence: Network Rail

Developers should ensure the security of the boundary fence to the railway is maintained at all times.