

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 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

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- 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.