

## 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 suitably 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.