

## Planning Committee

A meeting of Planning Committee was held on Wednesday 5th November 2025.

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

**Officers:** Elaine Atkinson, Jill Conroy, Simon Grundy (DoR&IG), Martin Parker (DoCS,E&C), Stephen Donaghy (DoA&H), Julie Butcher and Sarah Whaley (DoCS)

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

**Apologies:** Cllr Dan Fagan, Cllr Shakeel Hussain and Cllr Barry Woodhouse

### **P/32/25 Evacuation Procedure**

The evacuation procedure was noted.

### **P/33/25 Declarations of Interest**

There were no declarations of interest.

### **P/34/25 Planning Protocol**

The planning protocol was noted.

### **P/35/25 Minutes of the meetings which were held on 4 June, 6 August and 10 September 2025**

The minutes from the Planning Committee meetings which were held on 4 June, 6 August and 10 September 2025 were approved and signed as a correct record by the Chair.

### **P/36/25 24/0977/OUT Little Maltby Farm, Low Lane, High Leven, Yarm, TS15 9JT**

Consideration was given to planning application 24/0977/OUT Little Maltby Farm, Low Lane, High Leven, Yarm, TS15 9JT

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

associated works. Since the original scheme submitted, the 40 apartments had been removed.

The principle of a local centre had previously been accepted on the wider site and the site was allocated for Housing in the Local Plan.

There had been several objections which had been considered in full and there were no planning reasons to refuse the development.

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 set out within the main report, the application was recommended for approval with conditions.

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

- The applicants agent endorsed officer recommendations.
- The application site was within the adopted Local Plan and was compliant with planning policy.
- Should the application not be approved there would be a loss of future employment and a lack of shops for local residents.
- If the application was approved there would be a link road to come forward which was essential to the internal road network.
- The formerly proposed residential apartments had been removed from the scheme and the height of the care home reduced.
- Objections relating to the development impacting on neighbouring property values was not a material planning consideration.
- There had been no objections from Highways.
- The provision of a car park would ease peak pressure on the estate road.
- There would be significant public benefits and amenities for residents as well as economic benefits in terms of employment.
- The proposed site would contribute to the 5-year housing supply.

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

- Could the 40 apartments which had been removed since the original scheme be added later?
- Questions were raised relating to comments received from the Environmental Health Unit regarding stockpile heights, and the possible effect this would have on neighbouring residential properties and whether a condition could be included to mitigate against any negative impact.
- Concerns were also raised relating to contaminated land.
- Members encouraged the applicant to take up the comments which had been submitted by Cleveland Police and to follow 'secure by design' accreditation and look at implications before and not after the build.
- Officers were asked to clarify the difference between a 60-bedspace residential care accommodation and extra care facility.
- Would the proposed car parking arrangements of 12 spaces be sufficient should the residential care home be delivered?
- Did fences have hedgehog highways?

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

- Officers confirmed that if the applicant wanted to reintroduce the 40 apartments that had been removed from the original proposal, then a new application would have to be submitted for consideration.
- In terms of stockpile heights, officers confirmed that a requirement was included in the Construction Management Plan(CMP) condition.
- Members were advised that there was a condition to control contaminated land.
- In terms of clarification regards a 60-bedspace residential care accommodation or extra care facility, Members were informed that end users had not yet been identified therefore both types of accommodation had been proposed to allow for flexibility to enable delivery of whatever the greater need was in Stockton at that time.
- In terms of car parking and the number of spaces, this was indicative, and the design of the car park would be considered and conditioned at reserved matters stage.
- It was confirmed that hedgehog highways was considered in the ecology report.

A vote took place and the application was approved.

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

01 Reserved Matters - Time Period for submission

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

## 02 Period for Commencement

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

## 03 Reserved Matters – Details

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

## 04 Approved Plans

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

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

## 05 Scope

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

## 06 Control over extent of convenience shop;

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

## 07 Existing and Proposed Site levels;

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

## 08 Accessible and adaptable homes

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

## 09 Sustainable Surface Water Drainage Scheme

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

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

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

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

#### IV. Details of adoption responsibilities

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

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

- Discharge to the watercourse restricted to 6.7l/s
- 546m<sup>3</sup> of storage to be provided.

The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the local planning authority.

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

The buildings hereby approved shall not be brought into use until:-

- I. Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said building
- II. The drawings of all Suds features have been submitted and approved in writing by the Local Planning Authority, the drawings should highlight all site levels, including the 30year and 100year+cc flood levels and confirmation of storage capacity
- III. A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development

##### 12 Foul Drainage

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

##### 13; Archaeology

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

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording

4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

#### 14 Ecology and Biodiversity

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

#### 15 Ecology Survey

If work does not commence on each phase within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing on site a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted and approved in writing by the local planning authority and identify any additional or revised mitigation measures required

#### 16 Nitrate Mitigation

Other than the local centre, no development shall commence until the applicant has satisfactorily demonstrated to the Local Planning Authority that they have completed the purchase of the allocated Nutrient Credits in Accordance with the submitted Option Agreement.

#### 17 BNG

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

#### 18 Biodiversity Management and Monitoring Plan

No development shall commence until a Biodiversity Management and Monitoring Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management Plan shall include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

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

#### 19 Construction Environmental Management Plan

No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority for each phase. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to noise and vibration, dust and air pollutants (in broad accordance with the Revised Air Quality Assessment June 2025), land contamination and ecology. The CEMP shall include measures to effectively control dust emissions from the site works, in accordance with an impact assessment undertaken in accordance with the IAQM guidance, this shall address earth moving activities, control and treatment of stockpiles. It shall also set out arrangements by which the developer shall maintain communication with businesses and residential premises in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

#### 20 Construction Traffic Management Plan

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

#### 21 Servicing Plan

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

#### 22 Preliminary Risk Assessment

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

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

- A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.  
Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

### 23 Cycle Storage

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

### 24 Electric Vehicle Charging

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

### 25 Waste Storage

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

### 26 Lighting;

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

### 27 Means of Enclosure

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

### 28 Energy Efficiency

Prior to the erection of any buildings, other than the individual dwellings, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall identify the predicted energy consumption, the associated CO<sub>2</sub> 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 CO<sub>2</sub> 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.

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

Prior to the installation of any air conditioning units/ plant equipment / means of mechanical ventilation and/or a ventilation and fume extraction system in the car facility or local centre, full details shall first be submitted to and be agreed in writing by the Local planning Authority. Such details shall including a full technical specification by a suitably qualified technical professional person, details of the position of any A/C unit, plant and/or ventilation, fume or flue outlet points and the type of filtration or other odour treatment which shall be installed and used at the premises. Thereafter the equipment shall be installed in accordance with the agreed details prior to the development being brought into use and shall be maintained in accordance with the manufacturer's recommendations, including the frequency of replacement of any filters, for the lifetime of the development.

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

#### 30 Construction Noise

No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

#### 31 Unexpected Land Contamination

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

#### 32 Use of the Units

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

### 33 Hot food takeaways and fast food outlets

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

### 34 No subdivision/ Amalgamation

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

### 35 Hours of Operation

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

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

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

### 36 Deliveries

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

### Informatives:

#### Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

#### Informative: Reserved matters

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

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

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

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

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

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

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

#### Informative Use Class E. Definition

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

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

#### **P/37/25      25/1514/OUT    Land South of Manor Close, Wolviston**

A motion was moved and seconded that the item 25/1514/OUT Land South of Manor Close, Wolviston be deferred to a future meeting of Planning Committee to enable additional information relating to the Council's five-year housing supply to be provided

A vote took place and the motion was carried.

RESOLVED that the item 25/1514/OUT Land South of Manor Close, Wolviston be deferred.

**25/0777/LA Roundabout at junction with Bader Avenue and Thornaby Road, Thornaby**

Consideration was given to planning application 25/0777/LA Roundabout at junction with Bader Avenue and Thornaby Road, Thornaby

Planning permission was sought for the provision of a new footpath and cycleway as part of a wider pedestrian/cycle network improvement scheme across the Borough.

No letters of objection had been received following neighbour consultations. No objections had been raised by statutory consultees. Support had also been received from Councillor Moore.

The application site related to the outer section of recreational field associated with the Harold Wilson Centre. The site was recognised to be designated playing fields and open space; however, the proposal related to the provision of a new pedestrian and cycle route and therefore drew support from Local Plan Policies.

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

In accordance with the Councils scheme of delegation, the application was to be determined by Planning Committee as the application was Local Authority development with a total site area of over 500 square metres.

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

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

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

The Planning Officers report concluded that in view of the assessment contained within the main report, 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, therefore 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 within the main report.

A vote took place and the application was approved.

RESOLVED that planning application 25/0777/LA be approved subject to the following conditions;

Time Limit  
01

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

#### Approved Plans

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

Plan Reference Number	Date Received
65211061-SLD-XX-HLG-DR-EO-1317 REV T01	15 September 2025
65211061-SWE-ZZ-00-D-H-00117-P01	10 April 2025
65211061-SWE-SC-00-D-Z-00217-P01	10 April 2025
65211061-SWE-LE-00-D-L-03017-C01	22 September 2025
65211061-SWE-KF-00-D-H-11017-P01	10 April 2025
65211061-SWE-DG-00-D-H-00517-P01	10 April 2025
SBC0001	20 May 2025

#### Site Levels

03 Notwithstanding the details within the approved plans and prior to the commencement of the development hereby approved, details of the existing and proposed levels of the site including sectional and elevation drawings, which detail the level change treatment between the existing footpath and embankment shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

#### Construction Hours

04 In undertaking the development that is hereby approved:

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

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

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

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

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

#### Biodiversity Net Gain

06 The development hereby permitted shall be carried out in accordance with the submitted Biodiversity Net Gain Assessment, submitted 10 April 2025 (project ref 65211061) to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development and the Plan shall be implemented in full.

No development shall commence until a Biodiversity Management and Monitoring Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management Plan shall include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

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

Informative Reason for Planning Approval

Informative: Working Practices

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

Informative: Secure by Design (Cleveland Police)

Cleveland Police encourage the applicant to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

**P/39/25      25/0759/LA Land East of Clarendon Road, Thornaby**

Consideration was given to planning application 25/0759/LA Land East of Clarendon Road, Thornaby

Planning permission was sought for the provision of a new footpath and cycleway as part of wider pedestrian/cycle network improvement scheme across the Borough.

10no letters of objection had been received following neighbour consultations. 1no letter of support had been received. Cleveland Police did not support the proposal over concerns with the footpath/cycleway potentially exacerbating issues of motorcycle nuisance referenced by local residents.

The application site related to a parcel of land to the east of Clarendon Road. The site was recognised to be designated open space; however, the proposal related to the provision of a new pedestrian and cycle route and therefore drew support from Local Plan Policies.

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

In accordance with the Councils scheme of delegation, the application was to be determined by Planning Committee as the application was Local Authority development with a total site area of over 500 square metres.

The consultees that had been notified and the comments that had been received were

detailed within the main report.

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

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

The Planning Officers report concluded that in view of the assessment contained within the report and taking into account the concerns received by local residents and representatives from Cleveland Police, 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:

- Why did the Council want to use green space when there were already existing cycleways which could be joined up and deliver the same outcome?
- Cyclists wanted a direct route from Ingleby Barwick to Teesside Park, however the current Council proposal did not achieve this.
- The Council had proposed a cycle way from Mitchell Avenue in part, however if this was to join to Linear Park it would service schools better making it safer for children who wanted to cycle to and from school.
- The Council had proposed to put in a crossing further down Mitchell Avenue which would then join an already existing cycle path, however the cycle path route did not make sense when there could be an option for cyclists to ride directly through the town centre.
- More information was requested relating to concerns raised by Cleveland Police and whether their concerns had been resolved.
- The proposed parcel of land to the east of Clarendon Road was prone to flooding and the grass was constantly churned up by cyclists. The site was in flood zone 1 and the drains on the proposed site did not service the site efficiently in terms of getting rid of surface water.
- There were already existing cycle paths which could be joined up from Teesside Park to Ingleby Barwick , therefore no need to use the parcel of land to the east of Clarendon Road which was a green space area.
- A local resident whose garden backed onto the parcel of land to the east of Clarendon Road explained that as a keen gardener she could no longer get anything to grow due to flooding, and therefore the proposed site was not suitable.

- Residents asked if they would be met with 2 lanes of cycle paths when exiting their gardens via their back gates to cross the green belt to head to the town centre.
- Questions were also raised relating to who owned the proposed land was it Lord Harewood or Stockton-on-Tees Borough Council?
- Residents raised concerns relating to light pollution, privacy issues, Anti-Social Behaviour and the possibility of drug running on the back field, particularly in the summer months.
- Concerns were raised regarding the impact the installation of the paths would have on wildlife.

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

- Landownership was currently being investigated however officers did not see any potential issues.
- The proposed cycle paths were to allow for the safety of children.
- In terms of concerns raised relating to Anti-Social Behaviour, the proposed area would be lit which would reduce Anti-Social Behaviour, there was no evidence that the scheme would increase crime in the area.
- Regarding the choice of route, a lot of work had been undertaken to connect the town centre from all parts of Thornaby as well as accessing St Patricks School. The route through the park and green space did link to existing cycle paths as part of the travel infrastructure. It was direct and comfortable and worked well.
- The alternative route which had been highlighted by residents from Millbank Lane would mean having to cut through current infrastructure. As part of the St Patrick School route a new crossing would be installed as well as the widening of cycle paths making it safer for school children.
- Although it was acknowledged there was an issue with flooding on the field it was believed that this would not impact the proposed cycle route as the path would be raised.
- The cycle path would be more user friendly for those with mobility issues.

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

- Cleveland police had reported that they believed that the lighting of the cycle path would potentially increase Anti-Social Behaviour, which was a concern therefore the police's advice should be considered to eliminate Anti-Social Behaviour.
- It was highlighted that cycle paths in other areas of the Borough had been subject to people using them as a drug run.



- Members asked what the distance of the cycle paths would be to the nearest house as the plans appeared to show that they had moved closer to residents' properties since the first plan submission.

- The type of paths proposed could attract disorder linked to motorbikes / quadbikes etc.

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

- The path had been slightly repositioned due to land conditions, landscaping issues and to minimise the number of trees cut down.

Members discussed the possibility of a deferral to allow for additional information to be obtained to address issues that had been highlighted by Cleveland Police. A request was also made that an arborist attend the next meeting to discuss the removal of trees should a deferral be agreed.

A motion to defer was proposed and seconded.

A vote took place and the motion was carried

RESOLVED that the item 25/0759/LA Land East of Clarendon Road, Thornaby be deferred to a future meeting of the Planning Committee to obtain further information as detailed above.

## **P/40/25      Housing Supply and Delivery: Annual Position Statement 2025/26 to 2029/30**

Consideration was given to a report which provided Members with an update on the level of housing supply in the Borough based on the 5 years starting from 1st April 2025 to 31st March 2030.

The report provided members with an update on housing supply and delivery in the Borough. The National Planning Policy Framework (NPPF) was clear that the implications of not being able to demonstrate a five-year housing supply or pass the housing delivery test were that the NPPF 'Presumption in Favour of Sustainable Development' would apply to planning applications. The NPPF required Council's to update their position annually.

The Council adopted the current Local Plan on the 30th January 2019, following an independent examination which identified that the Local Plan was a 'sound' document. A review was completed in January 2024 to coincide with the Local Plan being five-years old. This concluded that the level of housing supply should be measured against the Government's Local Housing Need.

In December 2024 Government updated the methodology for calculating the Local Housing Need. This meant the figure for Stockton-on-Tees Borough increased from circa 440 dwellings per annum to 746 dwellings per annum. The method required an annual update and the requirement in this assessment was for 767 dwellings per annum.

The report was accompanied by a Housing Supply Assessment which covered the period 2025 – 2030 and identified 4.00 years of housing supply. Given the findings of

the assessment the Council could not demonstrate a five-year housing supply. In accordance with the 'presumption in favour of sustainable development' set out in the NPPF, situations where the local planning authority could not demonstrate a five-year supply of deliverable housing sites meant that the policies which were most important for determining the application were out-of-date. Therefore, applications for future residential development should be granted permission unless:

- i. the application of policies in the NPPF Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The latest published Housing Delivery Test figure related to the 2023 period in which the measurement for the Borough was 124% (a delivery of 1525 dwellings vs a requirement of 1234 dwellings). Whilst Government had not published Housing Delivery Test results for 2024 and 2025 as, yet it was anticipated that the Housing Delivery Test result for these years would exceed 100%. Following the change to the Local Housing Need, housing delivery in future periods would be measured against a higher requirement. Therefore, passing the Housing Delivery Test in the future may be more challenging.

The main topics discussed were as follows:

Members raised concerns as to the lack of evidence explaining why a great number of houses would not be delivered in the Borough within 5 years

Clarity was also sought as to why a vast number of houses would be demolished within the 5 year housing supply but would not be replaced during those 5 years which included Busby Way, Norton Road, Billingham Town Centre and Harrowgate Lane.

Members expected that when planning approval was granted those houses would be delivered in 3 to 5 years' time. If Members were to rely on Officer recommendations, they needed to be confident that this would happen

Officers explained the methodology and calculation process to the Committee and that the current process had remained the same for a number of years. Officers also informed the Committee that they did question developers over the timely delivery of homes periodically to try to ensure deliverable housing was met

AGREED that the Housing Supply and Delivery annual position statement for 2025/6 to 2029/30 come back to the next Planning Committee meeting to provide Members with additional evidence / information as requested.

## **P/41/25 Planning Compliance Performance Report**

Consideration was given to a report on Planning Compliance Performance - Quarterly Update. This was the latest quarter report (Quarter 2, 2025/26).

The Stockton-on-Tees Local Enforcement Plan (LEP) was approved at planning committee in September 2024 and became 'live' on the 1 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 98% 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. A chart contained within the report showed that this was consistent with an upward trend in compliance cases being received since 2022. However, the overall time to process cases had reduced on the previous quarter demonstrating that the processes introduced to both manage and maintain momentum on compliance cases were continuing to work well.

A number of cases had resulted in formal enforcement action, with notices having been served on three occasions during this quarter with assistance from the Council's Legal Services team.

Additionally, following the serving of notices in quarter 1 four notices had been fully complied with and those breaches of control having been resolved.

Non-compliance with an enforcement notice was a criminal offence and unfortunately there were two cases where enforcement notices had not been complied with. As a result, Officers were liaising with colleagues in legal services over appropriate next steps which may include prosecution.

Additionally, as a result of undertaking works in default associated with a Section 215 case, the recovery of costs were being sought through the courts.

For completeness, at the time of writing, the total number of unresolved compliance cases currently equated to 223, with 66 cases being historic cases received before the introduction of the Local Enforcement Plan.

The next quarterly update would be quarter 3 of 2025/26 (October - December), which was anticipated being reported in January 2026.

RESOLVED that the report be noted.

**P/42/25      Appeals**

The appeals were noted.