

DELEGATED

Report to Planning Committee

5 March 2025

Report of Director of Regeneration and Inclusive Growth

21/0249/REM

Tithebarns Fields, Land West Of Harrowgate Lane, Stockton-on-Tees

Expiry Date: 4 June 2021

Extension of Time Date: 30 January 2026

Summary

Members may recall that the application was deferred from the 5th March 2025 planning committee meeting due to matters relating to Nutrient Neutrality not being fully resolved. Despite attempts by the applicants to resolve the matter prior to the April 2025 meeting, the matter remained unresolved until September/October 2025, when an agreement was reached with Natural England following the agreement to acquire nutrient credits via a private credit provider.

Subsequently in October 2025, one of the joint applicants withdrew a number of drawings and supporting reports due to a desire to update the layout, and the associated drawing packs.

That withdrawn information has been re-provided by the other joint applicant in June 2026. Re-consultation with those relevant statutory consultees (Highways, Transport and Design Manager, Environmental Health and the Lead Local Flood Authority) has confirmed that there remain are no objections to the proposals.

Following the deferral of the application, a further 5 letters of objection to the application were received. Those comments are detailed in the report below, but no new matters were raised and they have been addressed within the original report to planning committee.

The main material planning considerations and conditions remain as outlined within the original report unless detailed within the report and recommendation below. In summary there are no technical reasons to withhold planning permission and approval of the application will bring about housing site within the West Stockton Local Plan allocation as well as a contribution towards the delivery of housing.

RECOMMENDATION

That members be minded to approve planning application 21/0249/REM subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms.

CONSULTATIONS

1. Consultees were notified of the revised information and the following comments were received (in summary).

2. **Highways Transport and Design Manager**

I refer to your e-mail dated: 17/06/26

General Summary

The Highways Transport and Design Manager raises no issues with the proposals, subject all the comments below being addressed.

Highways Comments

A proposed site layout, drawing 5205 – 201 Rev B, and various house type layouts have been submitted in support of the proposals.

The site layout is broadly in accordance with the Councils design guide and parking has been provided in accordance with SPD3: Parking Provision for Developments 2011.

There are no highways objections to the proposals.

Flood Risk Management

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

3. **Environmental Health**

Having reviewed the submitted Noise Impact Assessment (ENS, Ref: NIA-11350-24-11654-v2) again in 2026, I am satisfied that the assessment has considered the main environmental noise sources affecting the site. I would request the additional advisory note to the applicants

Advisory – Acoustic Ventilation and Overheating

Current good practice, including the principles set out within ProPG: Planning & Noise, recognises that where windows are required to remain closed to achieve guideline internal noise levels, it is necessary to demonstrate that future occupants can still be adequately ventilated and protected from overheating.

It is therefore recommended that, the applicant ensures that

- BS8233 internal noise criteria can be achieved with the proposed ventilation strategy in operation;
- The acoustic performance of the building façade, including glazing, walls and ventilation openings, has been appropriately assessed;
- Any proposed mechanical or passive ventilation systems will not adversely affect internal noise levels;
- The proposed dwellings can be adequately ventilated whilst maintaining acceptable internal thermal comfort conditions;
- The development will not result in undue reliance on occupants keeping windows closed for prolonged periods in order to achieve acceptable acoustic conditions.

PUBLICITY

4. Following the deferral of the application, a further 6 letters of objection to the application were received. Those comments are detailed in the report below, but no new matters were raised and they have been addressed within the original report to planning committee.

- Will increase traffic and congestion in the area

- overcrowding and impact on infrastructure
- Loss of green space
- Flooding
- Impact on wildlife

MATERIAL PLANNING CONSIDERATIONS

5. The main considerations of this application relate to nutrient neutrality, with all other material planning considerations being set out within the committee report from the 5th March 2025.

Nutrient Neutrality

6. Following the deferral of the application in March 2025, the applicants have resolved to try and overcome the concerns of Natural England.
7. This resulted in a slight change in approach and the mitigation strategy now focuses on the applicants securing private nutrient credits to address the associated impacts on the Teesmouth and Cleveland Coast SPA/Ramsar.
8. As a result an updated appropriate assessment was undertaken and Natural England were consulted on the revised Habitat Regulations Assessment, Appropriate Assessment and the mitigation scheme. Natural England subsequently confirmed they were content with the updated documentation.
9. Subsequently, in view of the revised mitigation solution, the application is considered to satisfactorily address the associated impacts on the Teesmouth and Cleveland Coast SPA/Ramsar from increase nitrogen.

WARD AND WARD COUNCILLORS

Ward	Bishopsgarth And Elm Tree (Pre May 2023)
Ward Councillor	Councillor David Minchella
Ward Councillor	Councillor Hugo Stratton

IMPLICATIONS

Financial Implications:

As per the report

Environmental Implications:

As per the report

Human Rights Implications:

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

Community Safety Implications:

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

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