

DELEGATED

Report to Planning Committee

05 November 2025

Report of Director of Regeneration and Inclusive Growth

25/0759/LA

Land East of Clarendon Road, Thornaby

Expiry Date: 31 July 2025

Extension of Time Date: 6 November 2025

Summary

Planning permission is 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 have been received following neighbour consultations. 1no letter of support has been received. Cleveland Police do not support the proposal over concerns with the footpath/cycleway potentially exacerbating issues of motorcycle nuisance referenced by local residents.

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

The application has been assessed in full, and it is 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 are 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 is to be determined by Planning Committee as the application is Local Authority development with a total site area of over 500 square metres.

Recommendation(s)

That planning application 25/0759/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.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

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

Plan Reference Number

65211061-SLD-XX-HLG-DR-EO-1307

65211061-SLD-XX-HLG-DR-EO-1308

Date Received

15 September 2025

15 September 2025

65211061-SLD-XX-HLG-DR-EO-1310 1002	15 September 2025 14 May 2025
65211061-SWE-LE-00-D-L-03007-C01	22 October 2025
65211061-SWE-LE-00-D-L-03008-C01	22 October 2025
65211061-SWE-KF-00-D-H-11007-P01	4 June 2025
65211061-SWE-LE-00-D-L-03010-C01	22 October 2025
65211061-SWE-DG-00-D-H-00507-P01	4 June 2025
65211061-SWE-DG-00-D-H-00510-P01	4 June 2025
65211061-SWE-KF-00-D-H-11010-P01	4 June 2025
65211061-SWE-SC-00-D-Z-00207-P01	4 June 2025
65211061-SWE-SC-00-D-Z-00210-P01	4 June 2025
65211061-SWE-ZZ-00-D-H-00107-P01	4 June 2025
65211061-SWE-ZZ-00-D-H-00110-P01	4 June 2025
65211061-SWE-ZZ-00-D-H-00108	14 May 2025
65211061-SWE-DG-00-D-H-00508	9 April 2025
65211061-SWE-KF-00-D-H-11008	9 April 2025
65211061-SWE-SC-00-D-Z-00208	9 April 2025

Reason: To define the consent.

Contaminated Land

03 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) 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.
- b) A detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) Based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) 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 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

This must be undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" guidance (2023). Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water and land pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Dust Emissions

- 04 The development hereby permitted shall be undertaken in accordance with a scheme which has first been submitted to and approved in writing to control dust emissions, such as dampening down, dust screens and wheel washers to prevent mud being tracked onto the highway. Mobile crushing and screening equipment shall have any appropriate local authority PPC permit required and a copy of this permit available for inspection.

Reason: To protect the residential amenity of existing residents from the development in accordance with Policy SD8 of the Stockton on Tees Local Plan and Part 15 of the National Planning Policy Framework.

Construction Hours

- 05 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.

Reason: To protect the residential amenity of existing residents from the development in accordance with Policy SD8 of the Stockton on Tees Local Plan and Part 15 of the National Planning Policy Framework.

Lighting

- 06 Notwithstanding the submitted details relating to the proposed lighting scheme, all new lighting shall be arranged so as not to shine directly towards any dwelling. The light fittings shall be shielded to prevent light spillage beyond the boundary of the proposal hereby approved.

Reason: To protect the residential amenity of existing residents from the development in accordance with Policy SD8 of the Stockton on Tees Local Plan and Part 15 of the National Planning Policy Framework.

Biodiversity Net Gain

- 07 The development hereby permitted shall be carried out in accordance with the submitted Biodiversity Net Gain Assessment, submitted 09 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.

Reason: In the interests of ensuring measurable net gains to biodiversity and allow the LPA to discharge its duties in accordance with Policies SD5, SD8 and ENV5 of the Stockton-on-Tees Local Plan and Part 15 of the National Planning Policy Framework.

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.

Site and Surroundings

1. The application site lies relates to a parcel of land which runs to the east of Clarendon Road in Thornaby. The land abuts residential dwellings either side with St Patricks Catholic College set to the northeast of the bend off Baysdale Road. The land abuts Milbank Lane to the south and extends northwards to the bend of Redcar Road and Humber Road. The site to which this application relates, however, terminates just north of the bend off Baysdale Road, adjacent to the school entrance.
2. The land comprises a grassed area containing trees around the periphery, mainly grouped to the south of the parcel of land. There is an existing footpath network which runs along the rear of the properties to the east.
3. The site lies within the defined settlement limits of the main conurbation and is designated open space within the Stockton Local Plan.

Proposal

4. Planning permission is sought for the provision of a new footpath and cycleway together with associated landscaping and lighting, to be constructed through the land, connecting Milbank Lane and the main entrance of St Patricks Catholic College.
5. The proposal is part of a wider pedestrian/cycle network improvement scheme across the Borough and involves the provision of new pedestrian/cycle safety features.

Consultations

6. Consultees were notified, and the following comments were received.
7. Highways Transport and Design Manager
Highways: There are no highways objections to the proposals.
Flood Risk: No Comments
8. Active Travel
No comments received .
9. Environmental Health
A search of our environmental records shows that the proposed development may be affected by contaminated land. The proposed cycle path is situated along a historical linear feature which is categorised as high risk.

The area concerned has not been investigated and is an area of unknown filled ground (circa 1954) for the disposing of waste, including scrap (to include infilled canal basins, docks or river courses. As such I would recommend submission of a preliminary risk rating of the potential ground conditions to identify potential contamination sources, pathways, and receptors.

I have checked the documentation provided, have found no grounds for objection in principle to the development however should the proposal be approved I would recommend the conditions be placed on the application relating to:

- Construction/ Demolition Noise
- Dust Emissions
- Light Intrusion

10. National Highways

Looking at this proposal, it appears to be a proposal for upgrade of cycle route and footpath provision that is at a distance of about a kilometre from the Strategic Road Network (A19) at a location adjacent to a strategic route with a cycle ban, running parallel to it. National Highways would be generally supportive of local authorities developing the active travel network to offer alternatives forms of transport to the car.

11. Cleveland Police

All roadways and pathways, adopted or otherwise, are recommended to be to BS5489-1:2020 standards with a uniformity preferably to Secured by Design recommended one of 40%, as a minimum 25%. Any proposed PROW, informal pathways, cycle lanes etc. are to be incorporated into active street frontages to avoid creating potential crime generators and are to be lit to the above standard. With the above considerations I would not recommend the route to rear of properties at Clarendon Rd. 25/0759/LA, as it could become an additional problem to those already referenced by residents. I have also liaised with the local policing team who confirm the issue at the location with off road motor cycle nuisance and any cycle route would exacerbate the issue. Police would not support this proposal.

Publicity

12. Neighbours were notified by individual letters and wider publicity has been given via a site notice. 10 individual objections have been received and 1 letter of support. A summary of the comments is below:-

Objections

- The proposed path/walkway is to be constructed within close proximity to my property in an area which floods due to a culverted beck a few metres underground and runs the entire length of the proposed site. This will result in a puddle for most of the year and the path therefore not fit for purpose.
- The path/cycleway will be used as a motorway for illicit purposes, including the use of quad bikes, scooters and motorbikes which already travel at speed. The path will increase anti-social behavioural issues.
- The open space need is far greater than that of the needs of a few cyclists of which there are plenty of alternative routes. The space is used for dog walkers and for children to play and sometimes for social community gatherings.
- The field hosts an array of wildlife, and the provision of a path and lighting would destroy these features and habitats.
- The proposed footway and cycle path would lead to privacy issues, increasing foot traffic near private homes and increasing potential loitering and security risk.
- The reduction of the open space will have a negative visual impact and would alter the character of the area.

- The cost of the development and potential maintenance costs would far outweigh the need for the footway and cycle path.
- A cycle path would be beneficial to the local area but in a suitable location, not eroding the green space.
- There are concerns over noise and disruption during construction works and ongoing required maintenance.
- By removing green space how do you expect to achieve Biodiversity Net Gain through the introduction of a hard surface.
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Support

- The path will improve walking conditions during bad weather and should include seating, greenery and dog waste bins.

Planning Policy Considerations

13. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
14. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

National Planning Policy Framework

15. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.
16. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;
approving development proposals that accord with an up-to-date development plan without delay; or
where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 96 Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

(b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas;

Paragraph 104 Existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:
(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Paragraph 109 Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

e) identifying and pursuing opportunities to promote walking, cycling and public transport use;

Paragraph 135 Planning policies and decisions should ensure that developments:
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,

- Specific policies in that Framework indicate that development should be restricted.

Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:

a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.

2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:

a. Directing development in accordance with Policies SD3 and SD4.

b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.

Strategic Development Strategy Policy 6 (SD6) - Transport and Infrastructure Strategy

1. To provide realistic alternatives to the private car, the Council will work with partners to deliver a sustainable transport network. This will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users, and to local services, facilities and local amenities.

2. To ensure the road network is safe and there are reliable journey times, the Council will prioritise and deliver targeted improvements at key points on the local road network and work in conjunction with Highways England to deliver improvements at priority strategic locations on the strategic road network.

Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
- b. Landscape character of the area, including the contribution made by existing trees and landscaping;
- c. Need to protect and enhance ecological and green infrastructure networks and assets;
- d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
- e. Privacy and amenity of all existing and future occupants of land and buildings;
- f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
- g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
- h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.

2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

Transport and Infrastructure Policy 1 (TI1) - Transport Infrastructure

Delivering A Sustainable Transport Network

1. To support economic growth and provide realistic alternatives to the private car, the Council will work with partners to deliver an accessible and sustainable transport network. This will be achieved through improvements to the public transport network and routes for pedestrians, cyclists and other users.

2. A comprehensive, integrated and efficient public transport network will be delivered by:

- a. Retaining essential infrastructure that will facilitate sustainable passenger movements by bus, rail and water;

b. Supporting proposals for the provision of infrastructure which will improve the operation, punctuality and reliability of public transport services;

3. Accessible, convenient, and safe routes for pedestrians, cyclists and other users will be delivered by:

a. Improving, extending and linking the Borough's strategic and local network of footpaths, bridleways and cycleways; and

b. Improving the public realm and implementing streetscape improvements to ensure they provide a safe and inviting environment.

Natural, Built and Historic Environment Policy 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

1. Through partnership working, the Council will protect and support the enhancement, creation and management of all green infrastructure to improve its quality, value, multi-functionality and accessibility in accordance with the Stockton-on-Tees Green Infrastructure Strategy and Delivery Plan.

3. The Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. The loss of open space as shown on the Policies Map, and any amenity open space, will not be supported unless:

a. it has been demonstrated to be surplus to requirements; or

b. the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c. the proposal is for another sports or recreational provision, the needs for which, clearly outweigh the loss; or

d. the proposal is ancillary to the use of the open space; and

e. in all cases there would be no significant harm to the character and appearance of the area or nature conservation interests.

Material Planning Considerations

17. The key considerations of this application are, the principle of development, visual and landscape impact, amenity impact, highway implications, flood risk and drainage, biodiversity net gain and other residual matters

Principle of Development

18. The application site lies within the development limits of the main conurbation and is designated open space as allocated in the Stockton on Tees Local Plan.
19. Policy ENV6 (3) which specifically relates to open space states that the Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. It advises that the loss of any open space would not be supported unless the proposal is for another sport or recreational provision, the needs of which would clearly outweigh the loss, or the proposal is ancillary to the use of the open space. In all cases, it would need to be demonstrated that there would be no significant harm to the character and appearance of the area.
20. Policy SD6 relates to transport and infrastructure strategy and states that the Council will work with partners to deliver a sustainable transport network which will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users.
21. Concerns have been raised with respect to the loss of open space to facilitate the development, stating that the land is used for dog walkers, children's play and social,

communal gatherings. Policy ENV6 seeks to resist the loss of open space unless the proposal is in relation to another sporting or recreational provision. In this case, the proposal would introduce a hard surface to improve pedestrian and cycle facilities which would broadly align with the aims of ENV6. Further to this, the foot/cycle paths would only take a small section of the width of the land, thus leaving green space either side to enable the continued use of this recreational space.

22. Further to the above it must be recognised that the proposal is part of a wider pedestrian/cycle network improvement scheme across the Borough and the benefits to be brought about such as improvements to the routes for pedestrians, cyclists and other users is wholly consistent with the aims of Policy SD6 and is considered to outweigh the minor harm in terms of the loss of open space.
23. Given the policy context above, the application is considered to be acceptable in principle subject to further material planning considerations as identified below.

Visual and Landscape Impact

24. Paragraph 131 of the NPPF promotes the creation of high-quality buildings and places. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. With paragraph 135 requiring that developments should not only maintain a strong sense of place but should improve the quality of the area. Developments should also be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
25. In addition, the Stockton on Tees Local Plan, encourages high standards of design through Policy SD8 which states that new development should be appropriate to the context of the surrounding area and be of an appropriate style, proportion, and materials.
26. Concerns have been raised that the resultant development will negatively impact upon visual amenity and the general character of the area.
27. The impact on the character of an area is not something which is purely about the visual appearance, it is also about the nature of development and how that creates a sense of place. The proposal will undoubtedly alter the character of the open space through the introduction of built form; however, the footpath and cycleway are common features, often found in open green spaces and would not look out of character therein. It is proposed to introduce a grass strip between the two paths together with tree and shrub planting as part of the Biodiversity Net Gain requirement, therefore the proposal would be deemed to enhance the area, making the space more usable and visually attractive.
28. In terms of existing trees, according to the submitted Landscaping layout plan there will be 2no trees removed from within the application boundary. Other tree removal works are to take place; however, this is outside of the jurisdiction of this application. The trees earmarked for removal are on Council owned land and aren't protected and whilst it is undoubtedly regrettable for their loss, the wider benefits of the proposal in terms of pedestrian/cyclist safety would be considered to outweigh this harm. Tree planting is proposed to replace those lost trees and will be discussed further in the report.
29. On the whole, the development would be acceptable in terms of design, scale and materials and would not adversely impact upon the character and appearance of the site and wider area. The proposal would therefore comply with Policies SD8 and ENV6 of the Stockton-on-Tees Local Plan and relevant design Chapters of the NPPF.

Amenity Impact

30. In respect of the neighbouring properties, planning policies SD3 and SD8 seek to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings, while guidance within the Householder Alterations and extensions SPD provides further clarity over the impacts that development can have on neighbouring occupiers.
31. Policy SD8 also states that proposals should be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
32. Chapter 12 of the NPPF seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
33. Concerns have been raised that the proposed footway and cycle path would lead to privacy issues, increasing foot traffic near private homes and increasing potential for loitering and security risk. Concerns have also been raised that the new path/cycleway will be used as a 'motorway' by quad bikes, scooters and motorbikes for illicit purposes which already travel at speed. Residents fear the path will exacerbate anti-social behavioural issues.
34. Cleveland Police have been consulted as part of the application and concur with the concerns of local residents regarding the issues with existing motorcycle nuisance. Cleveland Police therefore do not support the application.
35. Noting the concerns raised, it must be recognised that the site is an established recreational area. While the introduction of a hard-surfaced foot path and cycle path may increase foot traffic and occasional congregation, its primary purpose is to provide safe, direct pedestrian and cycle access for local residents including children from the nearby secondary school, supporting wider sustainable and active travel aims. Although concerns about crime are acknowledged, such issues are unlikely to arise solely from construction of the proposed development. The scheme includes lighting which will enhance surveillance and help deter anti-social behaviour. Existing motorcycle nuisance is a policing matter and falls outside the scope of planning and it is not considered that there is sufficient evidence to strongly indicate a direct link between the proposals and any further nuisance occurring.
36. The Environmental Health Unit have been consulted and have raised no objection to the principle of development stating that the lighting is for safety purposes and with regards to an amenity perspective has been designed with smart lighting controls which minimises light intrusion. Conditions have however been recommended relating to construction working hours, contaminated land, light intrusion and dust emissions. These conditions have duly been included.
37. Overall, based solely on the nature of the development proposed, it is considered that subject to appropriate conditions, the proposed development would not directly result in a loss of amenity to occupiers of neighbouring properties and therefore would not conflict with the policy aims of the Local Plan or the NPPF.

Highway implications

38. Local Plan Policy SD8 states that new development should be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport.
39. Paragraph 116 of the National Planning Policy Framework sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe.
40. The proposed development relates to improvements to pedestrian and cycle routes within the locale. The Highways Transport and Design Manager has reviewed the application and raise no objections to the proposed development.
41. Overall, the proposed development would comply with the provisions of SD8 as the development would result in improvements to pedestrian and cycle routes without causing detrimental harm to the wider road network. The proposal would not be deemed to result in an unacceptable impact which would be deemed a severe impact on highway safety or the wider road network, thereby according with Chapter 9 of the NPPF.
42. Accordingly, the proposal is deemed acceptable in terms of highway safety.

Flood Risk and Drainage

43. Concerns have been raised that the development is to be constructed in close proximity to residential dwellings, in an area which is subject to flooding due to a culverted beck a few metres underground, which runs the entire length of the proposed site. Concerns are raised that the paths will result in a puddle for most of the year and therefore will not be fit for purpose.
44. Stockton Local Plan Policy ENV4 advises that reducing and mitigating flood risk is an important issue for planning particularly as the effects of climate change are being realised. To ensure sustainable economic growth is achieved, it is essential that development (new and existing) is safe from flooding and incorporates approaches to reduce risk. When addressing flood risk, it is important to consider all sources of flooding which include fluvial, surface water, sewer and groundwater flooding.
45. The development has been considered in terms of drainage and flood risk, and the site is noted to be within EA flood zone 1. Drainage measures have been incorporated into the scheme and the LLFA have been consulted as part of the application. The LLFA have raised no objection to the proposed development.
46. Overall, it is considered that the development would not lead to an increase in flood risk on-site or off-site and would be acceptable from a flood risk and drainage perspective in accordance with Policies SD5 and ENV7 of the Stockton-on-Tees Local Plan and Part 14 of the NPPF.

Ecology and Biodiversity Net Gain

47. Concerns have been raised from local residents regarding the impact on local wildlife and querying how BNG can be achieved through the introduction of a hard surface.
48. The application was submitted after the 12th of February 2024, therefore the requirements of the Environment Act 2021, as inserted into Schedule 7A of the Town

and Country Planning Act 1990, apply to this planning application and necessitate that the proposed development should achieve biodiversity net gains of at least 10%.

49. According to the submitted BNG Assessment, the total overall ecological baseline (habitat) of the Site is 1.91 baseline units (BU). The report identifies that the survey area comprised of an area of modified grassland which has been categorised as 'poor' and individual rural trees classified as 'moderate'. As such, the scheme would not achieve a 10% net gain in habitat BUs on Site without habitat improvement.
50. In conjunction with the submitted Landscape drawings, a Biodiversity Gain Plan, and Habitat Management and Monitoring Plan is required and will be conditioned as part of the Biodiversity Net Gain requirements, to achieve a 10% net gain in biodiversity. It is envisaged that this will be achieved through the introduction of habitat creation through new modified grassland and replacement tree planting. Following these measures the total overall habitat value (on-site and off-site habitat) post development enhancements is 2.18BU, which would equate to a proposed diversity change of +14.07% which would exceed the 10% requirement, thus satisfying trading standards.
51. Subject to condition to secure details of a final Biodiversity Gain Plan, to include management and monitoring details, the application would accord with Policy ENV5 of the Stockton-on-Tees Local Plan, Part 15 of the NPPF, and the requirements of the Environment Act 2021.

Other Matters

52. Comments have been received raising concerns about the cost of the development together with on-going maintenance costs, which are deemed to outweigh the need for the footway and cycle path. Whilst the scheme is recognised to be part of a wider Council scheme relating to pedestrian and cycle safety improvements across the Borough, this matter is outside of the control of planning and therefore has no bearing on the outcome of the decision.

Conclusion

53. In view of the assessment above and taking into account the concerns received by local residents and representatives from Cleveland Police, it is 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 are no technical reasons why the proposed scheme would be deemed unacceptable.
54. In planning terms, the proposed development is considered acceptable in all other regards and is therefore recommended for approval subject to those planning conditions set out in the report.

Financial Implications: No known implications other than the associated costs of implementation of the proposals/maintenance.

Environmental Implications: There will be a loss of green space and some trees as a result of the works proposed, however the proposal is subject to BNG therefore replacement planting should mitigate this impact.

Legal Implications None known

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

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

Ward and Ward Councillors

Councillor Ian Dalgarno
Councillor Mick Moore

Background Papers

National Planning Policy Framework
National Planning Practice Guidance
Stockton on Tees Local Plan Adopted 2019
SPD2 – Open Space, Recreation and Landscaping - Dec 2009/2014

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