



TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL OF MATTERS RESERVED IN A PLANNING PERMISSION GRANTED ON AN OUTLINE APPLICATION

Applicant Name and Address

CIRCULAR FUELS ARBORETUM LIMITED
MR KAMAL KALSI
156 SPACES - BIRMINGHAM CROSSWAY
GREAT CHARLES
QUEENSWAY
BIRMINGHAM
B3 3HN

Agent Name and Address

Sol Environment Ltd
MR STEVE BUTLER

Reference No: R/2023/0080/ESM

The Council as the Local Planning Authority hereby **GRANT** planning permission for the development proposed by you in your application valid on 2 February 2023

DETAILS: **RESERVED MATTERS APPLICATION (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOLLOWING OUTLINE PLANNING PERMISSION R/2020/0819/OOM FOR 5.56 HA RENEWABLE GAS PRODUCTION FACILITY AND ASSOCIATED INFRASTRUCTURE (USE CLASS B2)**

LOCATION: **CIRCULAR FUELS ARBORETUM LIMITED PLOT 6 DORMAN POINT TEESWORKS**

Subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Block Plan (Dwg No. 130-MA24-AR-PLN-S090-1005 Rev P04)
received by the Local Planning Authority on 02/02/23

Proposed Site Plan (Dwg No. 130-MA24-AR-PLN-S090-1010 Rev P05) received
by the Local Planning Authority on 02/02/23

Occupied Areas Proposed Floor Plans (Dwg No. 130-MA24-AR-PLN-S090-1020 Rev P05) received by the Local Planning Authority on 02/02/23

Proposed Roof Plan (Dwg No. 130-MA24-AR-PLN-S090-1050 Rev P04)
received by the Local Planning Authority on 02/02/23

Proposed Emissions Plan (Dwg No. 130-MA24-AR-PLN-S090-1540 Rev P03)
received by the Local Planning Authority on 02/02/23

Proposed Site Sections (Dwg No. 130-MA24-AR-SEC-S090-1400 Rev P06)
received by the Local Planning Authority on 02/02/23

Proposed Site East Elevation (Dwg No. 130-MA24-AR-ELV-S090-1500 Rev P06) received by the Local Planning Authority on 02/02/23

Proposed Site South Elevation (Dwg No. 130-MA24-AR-ELV-S090-1502 Rev P06) received by the Local Planning Authority on 02/02/23

Proposed Elevations - Fuel Building (Dwg No. 130-MA24-AR-ELV-S090-1510 Rev P06) received by the Local Planning Authority on 02/02/23

Proposed Elevations - Central Area (Dwg No. 130-MA24-AR-ELV-S090-1520 Rev P06) received by the Local Planning Authority on 02/02/23

Proposed Site West Elevation (Dwg No. 130-MA24-AR-ELV-S090-1501 Rev P06) received by the Local Planning Authority on 02/02/23

Proposed Site North Elevation (Dwg No. 130-MA24-AR-ELV-S090-1503 Rev P06) received by the Local Planning Authority on 02/02/23

Proposed Elevations - Office Cube Store and Gate Houses (Dwg No. 130-MA24-AR-ELV-S090-1515 Rev P06) received by the Local Planning Authority on 02/02/23

REASON: To accord with the terms of the planning application.

2. **The development hereby approved shall be carried out in accordance with the proposed mitigation measures set out within the submitted Drainage Management Plan (Craddys December 2022 Ref 12576w0012) at Section 3 (Surface Water Drainage) Section 4 (Foul Water Drainage) and Section 5 (Firewater Drainage).**

REASON: To protect the integrity of Teesmouth and Cleveland Coast Special Protection Area and Ramsar site and to ensure the interest features of the Teesmouth and Cleveland Coast Site of Special Scientific Interest are protected.

1. **INFORMATIVE NOTE:** The applicant is advised that there are a number of conditions on the Outline Approval (R/2020/0819/ESM) that are required to be discharged and complied with in the implementation of the application hereby approved.
2. **INFORMATIVE NOTE:** The applicant is advised to ensure that the remediation strategy approved under application R/2020/0318/FFM has been implemented in its entirety prior to the commencement of development to accord with the terms of condition 15 of application R/2020/0819/ESM.



Signed:

Andrew Carter
Assistant Director Economic Growth

Date: **2 June 2023**

YOUR ATTENTION IS DRAWN TO INFORMATIVE NOTES BELOW:

INFORMATIVE NOTE:

The conditions above should be read carefully and it is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

Failure on the part of the developer to fully meet the terms of any conditions which require the submission of details prior to the commencement of development may result in the development being considered unlawful and may render you liable to formal enforcement action.

Please note that in order to discharge any conditions, a fee is payable in respect to this.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal action in the form of a Breach of Condition notice.

APPROVAL INFORMATIVE:

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

Consent under the current Building Regulations may also be required for the development before work can commence.

CATS Pipeline

In addition to the statutory consultees, applicants should also consider what other stakeholders should be consulted. For example, in the case of any development taking place that may affect High Pressure Gas Pipelines, operated by CATS North Sea Limited on behalf of the owners of the pipeline, please consult with CATS North Sea Limited at CATSpipeline@woodplc.com 01642 546404 CATS Terminal, Seal Sands Road, Seal Sands, Teesside TS2 1UB.

County of Cleveland Act, 1987 – Facilities for Fire Fighting

Section 5 of this Act requires that, where building regulation plans for the erection or extension of a building are deposited with the Council, the Council must reject the plans if it is not satisfied:

- That there will be adequate means of access for the Fire Brigade
- That the building or extension will not make means of access for the Fire Brigade to any neighbouring building inadequate
- If the building could be used for commercial or industrial purposes, that there is provision for installation of fire hydrants or other provision for an adequate supply of water for fire fighting purposes

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice (8 weeks in the case of any advertisement) using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have it granted without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Planning Inspectorate does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In the circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Planning Inspectorate on appeal or on reference of the application to them. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

The Highways Act 1980 (Sections 131, 133 and 171)

Prior to commencing work on any development which entails interference with an adopted Highway a developer/contractor is required to obtain the consent of the Engineering (Highways Team). Such consent will not unreasonably be withheld but will be conditional upon obtaining a "Road Opening And Reinstatement" Consent and signing an "Undertaking To Pay For Works".

The Building Act 1984 (Section 80)

Prior to commencing work on any development which entails the demolition of part, or all of a building a developer or contractor is required to obtain the consent of the Engineering Team. Consent will be conditional on the Local Authority receiving the appropriate forms. Forms can be obtained direct from the Engineering Team.