
APPLICATION DETAILS

Application No:	18/0060/FUL
Location:	Grey Towers Nunthorpe Middlesbrough TS7 0PW
Proposal:	Residential development comprising 238 dwellinghouses with associated access and landscaping
Applicant: Company Name:	c/o agent
Agent: Company Name:	Mr Sean Hedley Hedley Planning Services
Ward:	Nunthorpe
Recommendation:	Approve subject to 106 Agreement

SUMMARY

Permission is sought for the erection of 238 dwellings on the Grey Towers housing development site. The site currently has full permission for 185 dwellings of which 92 have been built, a further 110 have outline consent (295 total). This application for 238 dwellings increases the number of dwellings on the wider site by 116 to 411 as this current proposal also seeks a re-plan of the approved but not built plots.

Following a consultation exercise objections were received from 35 residents from 32 properties, the Parish Council and a Ward Councillor.

It is considered that the proposed development would provide a good mix of dwelling types which are considered to be of high quality design in an attractive landscaped setting with an appropriate layout. The development will not result in a significant detrimental impact on the amenities of existing local residents. Strategic works to the highway network will mitigate against the impact of the development on the local highway network.

The development meets the requirements of the relevant national planning policies detailed within the NPPF and Local Plan policies, specifically H1, H10, H11, H12, H31, CS1, CS4, CS5 and DC1. The recommendation is for approval of the application subject to conditions and a S106 agreement.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The site is located to the south west of Dixons Bank (A172) and south east of Brass Castle Lane. It comprises 27.8ha of open fields, mature woodlands, farmland and a pond. The site is part of the wider Grey Towers development site which is currently under construction.

To the north, east and south east are residential dwellings. Land to the west is an allocated housing site and a site which has outline consent for dwellings. To the south is an area of woodland and a pond.

Permission is sought for the erection of 238 dwellings on the Grey Towers Site housing development site. The site benefits from full permission for 185 dwellings of which 92 have been built, a further 110 have outline consent (295 total). This application for 238 dwellings increases the number of dwellings on the wider site by 116 to 411 as this current proposal also seeks a re-plan of the approved but not built plots.

The 238 dwellings proposed consist of:

- a) 3 three bed dwellings;
- b) 191 four bed dwellings; and,
- c) 44 five bed dwellings.

Of which 41 are three-storey dwellings (two-storey with rooms in roof space), the remaining 197 are two-storey.

The associated works proposed include the construction of highways, landscaping works, foul and surface water pumping stations and a substation.

Documents submitted in support of the application include:

- a) Compliance Statement;
- b) Planning Statement;
- c) Transport Assessment;
- d) Residential Travel Plan;
- e) Flood Risk Assessment;
- f) Drainage Strategy;
- g) Air Quality Assessment;
- h) Noise Assessment;
- i) Arboricultural Method Statement;
- j) Ecological Reports;
- k) Energy Statement;
- l) Statement of Community Involvement

PLANNING HISTORY

M/OUT/0226/11/P Residential development of up to 295 dwellings, community centre & associated access (Outline)
Approved with Conditions 15th October 2012

M/RES/0403/13/P Reserved matters (phase 1) for erection of 123no dwellings and associated access & landscaping
Approved with Conditions 24th June 2013

M/AMD/0403/13/P(C) Non-material amendment to previously approved M/RES/0403/13/P to remove plot 45, and amend plot 46 to house type B.
Approved 19th October 2015

M/AMD/0403/13/P Non-material amendment to M/RES/0403/13/P to substitute garage types to various plots
Approved 27th January 2015

16/5103/RES Reserved matters (phase 2a) for erection of 26no dwellings and associated works

Approved with Conditions 3rd November 2016

17/0258/RES Reserved matters for the erection of 36 dwellings with associated landscaping Phase 2B

Approved with Conditions 11th August 2017

PLANNING POLICY

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to 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.*

The following documents together comprise the Development Plan for Middlesbrough;

Middlesbrough Local Plan;

- *Housing Local Plan (2014)*
- *Core Strategy DPD (2008, policies which have not been superseded/deleted only)*
- *Regeneration DPD (2009, policies which have not been superseded/deleted only)*
- *Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)*
- *Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)*
- *Middlesbrough Local Plan (1999, Saved Policies only) and*
- *Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).*

The overarching principle of the National Planning Policy Framework (NPPF) is to support sustainable development, and that it should go ahead without delay. It defines the role of planning in achieving economically, socially and environmentally sustainable development and recognises that each are mutually dependent. The NPPF requires local planning authorities to approach development management decisions positively, utilising twelve core planning principles, which can be summarised as follows:

- *Being plan led*
- *Enhancing and improving areas*
- *Proactively drive and support sustainable economic development to deliver homes, business, industry and infrastructure and a thriving local economy*
- *Always seek a high quality of design and good standard of amenity for existing and future occupants*
- *Take account the different roles of areas, promoting the vitality of the main urban areas whilst recognising the intrinsic character of the countryside*
- *Support the transition to a low carbon future, taking full account of flood risk, resources and renewables*

- *Contribute to conserving and enhancing the natural environment*
- *Encourage the effective use of land*
- *Promote mixed use developments*
- *Conserve heritage assets in a manner appropriate to their significance*
- *Actively manage patterns of growth making fullest use public transport, walking and cycling and focus significant development in sustainable locations and*
- *Take account of local strategies to support health, social and cultural well-being and deliver community and cultural facilities to meet local needs.*

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

- H1 - Spatial Strategy
- H10 - Nunthorpe
- H11 - Housing Strategy
- H12 - Affordable Housing
- H28 - Land at Grey Towers Farm
- H31 - Housing Allocations
- CS1 - Spatial Strategy
- CS4 - Sustainable Development
- CS5 - Design
- DC1 - General Development
- UDSPD - Urban Design SPD
- HGHDC - Highway Design Guide

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

CONSULTATION AND PUBLICITY RESPONSES

Consultation letters were sent to local residents, a press notice issued and site notices posted around the site. Following the consultation exercise 35 objections were received from residents from 32 properties, these are summarised below:

Objections

- a) Development too high;
- b) General dislike of proposal;
- c) Inadequate access, additional vehicle access required;
- d) Inadequate public transport provision;
- e) Increase in traffic and congestion;
- f) Not enough parking in site;
- g) Inadequate local highway infrastructure;
- h) Highway safety;
- i) Increase of pollution;
- j) Impact on protected trees, a number are diseased and likely to fall;
- k) Loss of wildlife and effect on local ecology;
- l) More open space needed;
- m) Noise nuisance;
- n) Over development;
- o) Strain on existing community facilities including medical and education;
- p) Noise and mud from construction works and vehicles;
- q) Appearance;
- r) Out of keeping with character of area;
- s) Close to adjoining properties;
- t) Collingham Drive will be over shadowed;

- u) Loss of privacy;
- v) Loss of view;
- w) Loss of light;
- x) Close to existing bridleway which will become enclosed and dark;
- y) Conflict with Local Plan;
- z) No longer low density executive homes;
- aa) Not enough info given on application;
- bb) Information missing from plans;
- cc) Increase danger of flooding;
- dd) Not enough 3 bed homes being built in Nunthorpe;
- ee) Excessive development in this part of town;
- ff) Brownfield sites elsewhere in town;
- gg) Not affordable housing;
- hh) Time it will take to developer;
- ii) Mis-sold our property on the site, dwellings to rear have been altered;
- jj) Light pollution;
- kk) Poor build quality;
- ll) Increase in vermin;
- mm) Impact on human rights;
- nn) Position/scale of plot 125 in relation to existing dwellings;
- oo) Position/scale of plot 227 in relation to existing dwellings; and,
- pp) Disagree with Planning policy comments.

Comments were received from the following properties:

1. 14 Avenue Court, The Avenue, Nunthorpe;
2. 11 Bonny Grove;
3. 5 Brass Castle Lane;
4. 5A Brass Castle Lane;
5. 11 Brass Castle Lane;
6. 18 Chandlers Ridge;
7. 15 Collingham Drive;
8. 16 Collingham Drive;
9. 17 Collingham Drive;
10. 18 Collingham Drive;
11. 19 Collingham Drive;
12. 22 Collingham Drive;
13. 24 Collingham Drive;
14. 25 Collingham Drive;
15. 5 Cotcliffe Way;
16. 11 De Brus Park;
17. 6 Eagle Park;
18. 9 Eagle Park;
19. 296 Eagle Park;
20. 12 Elerbeck Avenue;
21. 2 Kilvington Grove;
22. 8 Kilvington Grove;
23. 7 Poole Gardens;
24. 7 Sinderby Lane;
25. 9 Sinderby Lane;
26. 9 Wilson Grange;
27. 3 Wyke Lane;
28. 7 Wyke Lane;
29. 10 Wyke Lane;
30. 1 The Village Green;
31. 20 Thurlestone; and,
32. Green Willows, Brass Castle Lane.

MBC - Policy

The proposed development exceeds the number of properties for the Grey Towers site as detailed within the Housing Local Plan policy H28, the proposal would meet National Planning Policy Framework aims and objectives, regarding increasing and delivering a wide choice of high quality homes. In addition, the applicants have emphasised that the original high quality North Yorkshire village design ethos will be maintained and enhanced. There will also be additional developer contribution requirements, to mitigate against any impacts deriving from the proposal.

Given the above and on balance the proposal can be considered for approval, subject to Development Control overall evaluation

MBC - Highways

The proposed scheme has demonstrated that the level of traffic generated by the proposed scheme and its subsequent impact on the adjacent highway network is not materially different to that previously considered, mitigated for and approved by the authority.

The design of the internal layout follows the principles established through the outline masterplan with the scheme being designed and constructed to a standard suitable for adoption. The parking provision exceeds the maximum requirement in the Highways Design Guide. As such no objections are raised subject to appropriate conditions.

MBC - Waste Policy

All Refuse & Recycling must be placed out for collection at the nearest public highway. Households with shared drives must make their waste & recycling available at the nearest public highway.

MBC - Environmental Health

The application has been considered in relation to noise nuisance from the local highway network, air quality as a result of the additional traffic, and site contamination. No objections have been raised subject to relevant conditions.

Northern Gas

No objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Northumbrian Water

An enquiry was received by NWL from the applicant for allowable discharge rates & points into the public sewer for the proposed development. I note that our response to this enquiry has not been submitted with the planning application.

In this document it states;

This development is for 235 dwellings with three distinct areas i.e. Northern Area - 60 dwellings, Central Area - 148 dwellings, Southern Area - 27 dwellings. Please find below foul connection points/discharge rates for these three areas:

1. Northern Area - The proposed foul flow of 2.71 l/sec can be accommodated in the existing 150mm diameter public foul sewer at manhole 8202.
2. Central Area - On the application form you have indicated a proposed foul flow of 6.85 l/sec and a proposed connection point between manhole 1502 and sewage pumping station (SPS) 1601. Please note that this network and SPS have not yet been adopted. A maximum of 110 properties can drain to this SPS without an updated design being submitted and approved. Please contact Steve Somerville on 0191 419 6648 to discuss any amendments to the existing S104 application.
3. Southern Area - The proposed foul flow of 1.24 l/sec can be accommodated in the existing 225mm diameter public combined sewer at manhole 5801.

With regards to surface water, the flows can discharge as follows:

1. Northern Area - A restricted surface water flow of 5 l/sec can be accommodated in the existing 225mm diameter public surface water sewer at manhole 8204. As this surface water sewer ultimately discharges to a watercourse, we suggest that you contact either the Environment agency or Lead local flood authority, as appropriate, to discuss this in further detail.
2. Central & Southern Area - In this instance we have identified that the surface water flow may be able to discharge directly to the watercourse. We therefore suggest that you contact either the Environment agency or Lead local flood authority, as appropriate, to discuss this in further detail.

Because the applicant has not submitted a drainage scheme with the application which demonstrates the above comments, NWL request a condition.

We can inform you that a water main crosses the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus and therefore we will be contacting the developer direct to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We will be contacting the developer/agent directly in this matter, however, for planning purposes you should note that the presence of our assets may impact upon the layout of the scheme as it stands.

Cleveland Police - Secured by Design

In relation to this application. I recommend applicant actively seek to develop to accredited Secured By Design "Gold" standards, or to at least "Silver" levels.

In addition and having viewed the plans I would make the following comments, I have also had contact with architect and hope further discussion will take place.

All pathways and shared driveways that are proposed to not be adopted by the local authority to be column lit to the same standard as all adopted roadways, BS5489:2013.

All boundary treatments to sides and rears of properties onto public areas to be of 2.0m in height. Those rear and side boundaries onto grassed/bridleway areas to be raised to 2.4m, this could be 2.0m close boarded with 400mm box trellis topping.

Front corner Plot demarcation, such as 900mm hoop top fencing. This will reduce attractiveness of desire lines.

Dusk/Dawn lighting is recommended to all elevations with door access, this should include garages.

The proposed pathways serving the green area from the roundabout to Plot 280 to be adopted and column lit to BS5489:2013 standards. This is recommended as it is afforded surveillance by overlooking properties and to be lit at night would increase the benefit of this.

I would never recommend bridleways running to the rear of dwellings as it legitimises access to the rear. If it cannot be avoided then again I would recommend the section running behind properties also be lit as above.

Northern Powergrid

No response

Councillor Jon Rathmell

I am writing to formally object to the above development for the following reasons, I was unable to provide an objection until consideration of the Marton Crawl public meeting on Tuesday evening. I object to the development on the grounds no consideration has been

given to the additional pressure on infrastructure as a result of the increased vehicles with each house being at least 2 - 3 car households. It is clear that this will provide an additional burden on the already existing Marton Crawl. I note the lack of response by highways within MBC demonstrating a lack of joined up thinking between developments, transport and infrastructure. There has been no production or information provided regarding this impact and as such it is clear this has not been a material consideration of the planning authority.

Nunthorpe Parish Council

Nunthorpe Parish Council object to the above proposal to increase the number of homes on the David Wilson site. The proposals will increase the number of vehicles using Marton Road "The Marton Crawl" and the many other traffic problems associated with the South of Middlesbrough. This application and further planning approvals should be given until the traffic infrastructure of Nunthorpe and South Middlesbrough are undertaken within an adequate timescale to suit any additional vehicles.

Nunthorpe and Marton Playing Fields Association

The trustees of the Nunthorpe and Marton Playing Fields Association (NMPFA) met last week and asked me to write to you in respect of the above planning application. NMPFA is a registered charity regulated by the Charity Commission. Our charitable objects are the provision of playing fields for the use of the inhabitants of the parishes of Nunthorpe and Marton and that part of Ormesby within a radius of three quarters of a mile of Nunthorpe Railway Station.

As you are aware, this new application will increase the total number of dwellings at the development from 295 to 407. This represents an increase of approximately 40%.

As part of the original application, the developer agreed to pay a sum totalling £100,000 for "playing pitch and sports pitch provision" as stated in the officer's report. This was subsequently incorporated into the s106 agreement as the "Sports and Leisure Contribution".

The new application will, as stated, increase the total number of dwellings by approximately 40%, which will impact on the need for playing pitch and sports pitch provision in the locality. As such, the trustees of NMPFA believe that, as part of any further s106 agreement in respect of the new application, a further contribution of £40,000 (forty thousand pounds) should be sought from the developer, in order to make the development acceptable in planning terms. We believe this relates directly to the development (as established by the original application), and is fair and reasonably related in scale and kind to the development.

Furthermore, as the only community organisation which offers playing fields and sports facilities to residents in the local area, the trustees believe that such a developer contribution should be earmarked for NMPFA, in order to support our development fund. This fund is used in accordance with our charitable objectives, in order to enhance provision and facilities for local residents.

Public Responses

Number of original neighbour consultations	431
Total numbers of comments received	35
Total number of objections	35
Total number of support	0
Total number of representations	0

Site notice posted –
21st February 2018

PLANNING CONSIDERATION AND ASSESSMENT

1. The planning application before Members is a full application for the development of 238 dwellings and associated works including roads, drainage and landscaping. The site is an allocated site for housing in the Housing Local Plan and permission has previously been given for housing on the site. As a result the principle of dwellings on this land has been established. This application is for a re-plan of 122 dwellings which have already been approved. The remaining 116 dwellings are additional dwellings on top of the 295 approved for the overall site which would raise the total number of properties to 411. This application will consider the principle of a further 116 dwellings on the site in planning policy terms, the highways implications, drainage infrastructure, landscaping and the detail of the 238 dwellings proposed in terms of their appearance, scale and the site layout.
2. During the application process minor revisions have been made to the layout and the housetypes in response to consultation responses and officer comments. The revisions include three additional dwellings. Three additional dwellings is not a material change to this major development for 238 houses and therefore did not require further full consultation with residents or statutory consultees. However, given that two of the additional dwellings are located to the south of the site to the rear of properties on Collingham Drive a seven day consultation letter was sent to the adjacent properties and any additional comments received which differ from those already detailed above, will be reported to Members at Committee.
3. The comments received will be considered throughout this report. Those comments which are not material planning considerations cannot be considered when determining this application. These include:
 - a) time for the development to be completed;
 - b) noise, mud and debris from construction works;
 - c) brownfield sites are available elsewhere in the town;
 - d) mis-sold properties;
 - e) decrease in property values; and,
 - f) loss of views.

Policy

4. The application site is part of the wider Grey Towers site allocated in the Housing Local Plan for residential development where Local Plan Policy H28 applies.
5. Under planning application M/OUT/0226/11/P the Grey Towers development was granted permission for 295 dwellings, in accordance with policy H28. The proposed development will increase this number of dwellings by 116 units to 411 units. This increase will be contrary to Housing Local Plan Policy H28, which states that the site should contain a bespoke executive residential scheme, to provide a maximum 295 dwellings.
6. There are two central implications for Policy H28, (i) the increase on dwelling numbers which takes this proposal beyond the figure stated within the policy, and (ii) whether the original high quality design ethos will be maintained.
7. Although the proposal is contrary to Policy H28, the National Planning Policy Framework (NPPF) makes clear that when local planning authorities assess residential schemes they should take account of the need to deliver a wide choice of high quality homes, widen opportunities for different types of home ownership, and plan positively for the achievement of high quality and inclusive design for all development. This proposal will maintain large properties (mainly 4 and 5 bedroom

properties) and retains a significant amount of open space within the development, which would in turn retain the original high quality North Yorkshire village design ethos and although the number of proposed properties is greater than the number stated within Housing Local Plan Policy H28, it is considered that the proposal would meet National Planning Policy Framework aims and objectives, regarding increasing and delivering a wide choice of high quality homes as well as the similar requirements of Local Plan Policy H10.

8. Policy H28 also requires financial or other contributions in relation to offsite affordable housing, transport infrastructure improvements and education in order to mitigate against the demands placed on the wider area as a result of the proposed dwellings. Where necessary the contributions have been re-calculated to take into account the additional dwellings proposed.
9. Policy H12 and H28 require housing developments in this location to provide a 15% off-site affordable housing contribution. The previous applications include a s106 contribution of £4,500,000 for off-site affordable housing, and a further contribution is therefore required for an additional 17 affordable dwellings off site.
10. The proposed development will also contribute towards meeting the required housing numbers in Nunthorpe in line with Policies H1 and H11.

Highways

11. The application being considered proposes to increase the overall number of dwellings that have been granted planning consent on the Grey Towers site. In highway terms. Therefore we are considering the net difference between the scheme that has been granted planning consent and that is now proposed.
12. For the purposes of assessing the impact on the highway network, the original Transport Assessment was based on 300 residential units and based upon this work a package of mitigation measures was identified together with a financial contribution to the cost of the works. This package was secured through the granting of planning consent and progress on the implementation of these works is currently underway.
13. The trip rates that were utilised for the initial application were acknowledged as being high at the time of consideration and agreed to represent a worst case scenario.
14. Subsequent surveys of the dwellings occupied on the development have been undertaken which confirm that the original trip rate was overly robust and is not representative of the traffic being generated by the development.
15. The table below sets out a comparison of;
 - a) The original trip rate used within the approved outline consent
 - b) The typical trip rate derived from use of the nationally recognised TRICS database that would apply to a development such as this
 - c) The trip rate proposed for the current proposals based upon recent survey data

Trip Rate		AM Peak			PM Peak		
		Arrivals	Departures	TOTAL	Arrivals	Departures	TOTAL
Approved TA	300	0.350	0.813	1.163	0.550	0.263	0.813
	units	105	244	349	165	79	244
		0.186	0.441	0.627	0.448	0.314	0.762

Typical TRICS database	300 units	56	132	188	134	94	228
Proposed based on survey data	408 units	0.289	0.511	0.800	0.489	0.300	0.789
		118	209	326	199	122	322

16. The net difference between the originally accepted considerations and that now proposed is a decrease of 22 vehicles in the AM peak and an increase of 78 vehicles during the PM peak.
17. The PM increase represents a little over 1 additional vehicle per minute. This additional traffic has been assigned to the highway network based upon the previously agreed approach in the original TA.
18. Once the traffic is distributed across the highway network, as per the agreed approach, the impact over and above that previously considered at individual junctions diminishes further to levels representing less than one vehicle per minute. When considering background traffic flows and daily fluctuations that can be seen in traffic levels these changes are not of a scale to necessitate further investigation nor mitigation.
19. The proposed scheme has demonstrated that the level of traffic generated by the proposed scheme and its subsequent impact on the adjacent highway network is not materially different to that previously considered, mitigated for and approved by the authority. As such no objections are raised subject to standard conditions.
20. The design of the internal layout follows the principles established through the outline masterplan with the scheme being designed and constructed to a standard suitable for adoption.
21. The existing s106 for the site includes a contribution of £3,900,000 towards various works to improve the local highway infrastructure payable in instalments when certain amounts of dwellings are occupied. The next instalment is required at the occupation of the 100th dwelling (92 have currently be completed). A further contribution is now being sought for additional strategic highway improvements required to support housing development in the south of the town which were not part of the mitigation works agreed in 2011.
22. Over the last five years Middlesbrough Council has developed a package of measures designed to mitigate the impact of future traffic growth on the Borough's road network. This has involved an extensive, 'two phase' traffic modelling exercise to establish where and when the additional vehicle movements associated with the sites identified for residential development in Middlesbrough and Redcar & Cleveland will impact on the local and strategic road network, and develop the highway improvements that will be required in order to address that impact.
23. The first phase of this exercise, carried out by Arup and commissioned jointly with Redcar & Cleveland Borough Council in 2013, involved the development of a strategic traffic model covering both Boroughs. The outputs of this piece of work helped to inform the Infrastructure Development Plan underpinning the Middlesbrough Housing Local Plan, which was adopted in November 2014.

24. The second phase, again carried out by Arup, involved the development of an AIMSUN microsimulation model covering the road network in south Middlesbrough, using the outputs of the strategic model and the sites allocated for residential development in the Middlesbrough Housing Local Plan. This work was commissioned in 2015 and completed in 2016.
25. As a result of this exercise, a prioritised package of highway improvements has been developed, with implementation phased broadly over the life of the Housing Local Plan. This package of improvements, which include two new highway links as well as improvements to a number of existing junctions, comprises:
 - a. The Stainton Way Western Extension – a new link road that will run between A1130 Mandale Road and B1380 Low Lane, designed to relieve pressure on the A19/A174 Parkway Interchange and facilitate access to the Stainsby housing site;
 - b. The Longlands to Ladgate Lane Link – a new link road that will run between A1085 Longlands Road and B1380 Ladgate Lane, designed to relieve congestion on A171 Cargo Fleet Lane, A172 Marton Road and Ormesby Road; and
 - c. A number of junction improvements on A172 Stokesley Road/Dixons Bank, B1365 Hemlington Lane and Stainton Way, designed to improve the capacity of these routes and relieve peak period congestion on the A172 Marton Road and A1032 Acklam Road Corridors.
26. The A172 Dixons Bank/Stainton Way ('Southern Cross') junction has been identified as the top priority for implementation within the overall package of improvements, with a recommended delivery timescale of 2020. A public consultation exercise for this scheme has recently been carried out, and the results are currently being analysed. A decision on whether to proceed with the proposed scheme will be taken later in the year.
27. There are existing public rights of way and bridleways at, and adjacent to the site. The developer has agreed to the dedication of a series of rights of way and bridleways throughout the site connecting the different landscaped areas and woodlands in the site, linking to the existing rights of way and bridleway network outside the site.
28. The parking provision provided on site exceeds the maximum standards set out in the Highways Design Guide. Dedicated on street visitor parking has also been provided throughout the site.
29. The application has been considered by the Local Highway Authority who have no objections to the scheme. The development is considered to be in accordance with the requirements of Local Plan Policies DC1 and CS5.

Flood Risk

30. A Flood Risk Assessment has been submitted in support of the application. The site is within National Flood Zone 1 which is classified as having a low probability of flooding, less than 1 in 1000 annual probability of river or sea flooding (<0.1%), residential dwellings are therefore an appropriate form of development in line with the NPPF technical guidance table 3.
31. The proposed sustainable drainage scheme is incorporated into the landscape to provide a high quality green environment which features a number of ponds and swales and will mitigate against flooding at the site. If approved a condition will require the submission of the full details and specifications of the sustainable

drainage system to the Planning Authority prior to the commencement of development.

32. Surface water from the development will feed into Marton West Beck which is currently the subject of a scheme of improvement works. It is considered necessary to seek a s106 contribution towards these works to the beck.
33. The Local Flood Authority and Northumbrian Water have considered the submitted flood risk assessment and drainage details and have no objections subject to relevant conditions. The development is considered to be in accordance with the requirements of Policies DC1 and CS4.

Environmental Health

34. Environmental Health have considered the application in relation to noise from the highway, air quality and site contamination. An air quality assessment has been submitted, It concludes that mitigation with respect to air quality, is not required as the impact associated with development traffic is assessed as being negligible and 'not significant'.
35. Environmental Health have confirmed that they have no objections to the development subject to a condition to ensure the development is carried out in accordance with the noise assessment.

Amenity

36. The separation distances with existing residential dwellings outside the Grey Towers site are in excess of the 21m (front to front) 14m (front to side) advised in the Urban Design SPD, properties on Collingham Drive are in excess of 60m. To the south of the site an existing bridle way separates the site from residential dwellings on Collingham Drive. The separation distances with existing residents within the wider Grey Towers site meet the design guidance. As a result the proposed development will not have a detrimental impact on the privacy of existing residents.
37. The proposed dwellings have been positioned so that any overshadowing of existing properties within the wider site is reduced by the position of existing and proposed detached garages. Given that Collingham Drive is located to the southeast of the application site and the large separation distances, it is considered that the proposed dwellings will not result in any overshadowing of these properties.
38. Internally within the development there are areas where the separation distances fall short of the 21m/14m guidance. During the application process revisions were made to the layout to maximise the separation distances where possible through reorientation of dwellings within their plots and alterations to housetypes. It is considered that the shortfall in separation distances is minimal and assists in providing the 'North Yorkshire Village' characteristic which was what the development has been based on, and therefore, on a minimal basis is considered to be a positive element of the development.
39. It is considered that the development will not have a detrimental impact on the amenity of any existing residents, and the layout will ensure that new residents have adequate levels of amenities. The development is considered to be in accordance with the requirements of Policy DC1 and CS5.

Design

40. The development proposes different character areas (North Yorkshire, North Yorkshire Variant and Woodland) which are a continuation of the character areas established in the approved development. They are created through the use of varying boundary treatments, landscaping strategies, changes to fenestration and finishing materials for the different phases.
41. The proposed dwellings are similar in scale to the approved dwellings on the wider site. They consist of two and three storey housetypes ranging from three bedrooms to five bedrooms. They incorporate various design details including hipped and gable roofs, barge boards and finials, chimneys, decorative porches, open eaves, stone corbel and parapet coping, dormer windows and bay windows. The design details add to the high quality of the dwellings and enhance the quality of the streetscene. Boundary treatments include a mix of dwarf walls, railings, timber fences and hedgerows. Statement dwellings have been located at prominent positions throughout the site to further enhance the streetscene and quality of the development.
42. The NPPF requires local authorities to deliver a wide choice of high quality homes to significantly boost the supply of housing. The proposed dwellings offer a mix of high quality styles and sizes from 3 bed properties to five bed properties with varying garden sizes. The dwellings are considered to be in accordance with the requirements of the NPPF.
43. Previous applications for this site have been subject to conditions removing all permitted development rights for the residential dwellings. The removal of permitted development rights will enable the Local Planning Authority to further control alterations and extensions to the dwellings following their completion. This ensures that the high quality designs of the dwellings, and their relationship with their neighbours and landscaped areas are retained. For this reason it is considered that permitted development rights should also be removed for this development.
44. The buildings will save 10% energy as required by Policy CS4 through a fabric first approach. The proposed dwellings will be built to an enhanced specification rather than basic compliance with Part L1A 2013.
45. The proposed dwellings are considered to be high quality design in accordance with the requirements of Policies DC1, CS4 and CS5.

Streetscene

46. When considering an application of this scale it is necessary to consider the impact of the development on the character of the area which should be maintained and enhanced. It is recognised that Nunthorpe provides a high quality residential environment with a mix of dwelling types and countryside. Whilst overall the character of the area will change with housing erected on this site, the existing and proposed trees, hedges and landscape works, together with the internal layout, road hierarchy, design and orientation of the dwellings, will contribute towards a high quality streetscene which mitigates the visual impact of the development on its surroundings helping to assimilate the scheme into the wider residential area.
47. The layout responds to existing natural features and the dwellings have been orientated to benefit from views over the open spaces and landscaped areas, with existing and new rights of way and bridleways penetrating the site connecting the properties to the landscaped and wooded areas and the wider right of way network. Statement dwellings have been located at prominent positions throughout the site to further enhance the streetscene and quality of the development.

48. The sustainable drainage scheme includes new ponds. The ponds and landscaped areas including additional woodland planting are of a significant benefit to the community providing leisure opportunities through walkways connecting the open areas and landscaped spaces, and enhancing the visual appearance of the area.
49. The layout incorporates secured by design principles with properties facing onto open areas and walkways providing high levels of natural surveillance. Future residents will also benefit from the open aspects.
50. It is considered that the development will not have a significantly adverse impact on the character and appearance of the area and will result in an attractive green streetscene to the benefit of existing and future residents. The development is in accordance with the requirements of Policies CS4 and CS5.

Conservation

51. The Nunthorpe Conservation Area is to the southeast of the site. The Conservation Area Management and Appraisal document details the key views and panoramic views which are considered to be significant to the heritage asset. No views into the application site, or from the site into the conservation area identified within this document.
52. The proposed layout retains an area of open space to the south of the site where it is located adjacent to the woodland separating the proposed dwellings from the conservation area. The proposed built up area along the southern boundary is located behind existing dwellings on Collingham Drive which are identified as having a neutral impact on the conservation area in the management and appraisal document, reducing the visual impact of the proposed dwellings.
53. It is considered that the proposed development will not detract from the character and appearance of the adjacent conservation area. The proposed development is therefore considered to be in accordance with Policies CS4 and CS5.

Ecology

54. Ecological Impact Assessments have been submitted as part of the application documents which state that there is no evidence of protected species on the site, including great crested newt, otters and water vole. There is no evidence of badger use at a previous potential badger outlier sett and no additional setts have been identified. The site is known for bat commuting routes, no known bat roosts are present. A bat presence survey will be required prior to the removal of any trees within the woodland areas.
55. The majority of the application site is arable land with limited potential for wildlife. The existing woodlands and hedge rows are to be retained and enhanced with additional landscaping in the residential gardens. The addition of new ponds as part of the sustainable drainage scheme and grassland areas will enhance the visual appearance of the streetscene and will increase the potential for habitat suitable for amphibians and ground nesting birds, particularly as these areas have strong links throughout the site.
56. It is considered that the development will have enhance the ecological potential of the site and have a positive impact in accordance with the requirements of Local Plan Policy CS4.

Community Facilities

57. When considering the development of the site in 2011 for 295 dwellings it was acknowledged that the development would result in the need for increased education facilities. A financial contribution of £750,000 was required as part of the original outline consent for the site with the first instalment payable on the occupation of the 150th dwelling, to provide for additional capacity at a local school.
58. Education have been consulted and consider that the additional dwellings on the site do not result in a need for a further contribution beyond that already agreed. As a result the contribution towards education facilities will remain as agreed in the s106 for the wider site.
59. A contribution of £200,000 has been made towards Marton library as a result of the original s106, it is considered that a further contribution is not required.
60. The original s106 also sought payment of £100,000 for sports and leisure, a further contribution is being sought as a result of the proposed development.

Conclusion

61. The analysis of the development determines that the proposals are for a sustainable development, which will assist in economic growth in the town. The proposed layout and dwellings are of a high quality design and would provide a pleasant and sustainable environment. Significant landscaped areas will enhance ecological potential and will benefit the wider community. There are no statutory objections to the proposal in terms of the sustainability of the site or the ability to meet necessary flood, ecology, highways and noise mitigation.
62. The application site is an allocated site within the approved Housing Local Plan. Although the additional dwellings conflict with some elements of Policy H28 it meets the other requirements of this policy and other relevant local and national policies. On balance the conflict with policy H28 does not outweigh the social, economic and environmental sustainable benefits of the development.
63. It is the planning view that none of the material objections raised will result in a significantly detrimental impact on the character of the area, the nearby residents or the community as a whole. The proposals do not conflict with local or national policies relating to sustainability, design, transport, open space or flood risk. The development will support the spatial vision set out in the development plan.

RECOMMENDATIONS AND CONDITIONS

Approve subject to the conditions detailed below and a Section 106 Agreement

1. Time Limit
The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. Approved Plans
The development hereby approved shall be carried out in complete accordance with the plans and specifications detailed below and shall relate to no other plans:
 - a) Site Location Plan, drawing no. NE-29-05 A;
 - b) Masterplan, drawing no. NE-15-06 W;

- c) Planning Layout – Layout 1, drawing no. NE-29-02 E;
- d) Planning Layout – Layout 2, drawing no. NE-29-03 E;
- e) Planning Layout – Layout 3, drawing no. NE-29-04 E;
- f) Planning Layout – Layout 4, drawing no. NE-29-07 E;
- g) Parking Plan – Layout 1, drawing no. NE-29-08 A;
- h) Parking Plan – Layout 2, drawing no. NE-29-09 A;
- i) Parking Plan – Layout 3, drawing no. NE-29-10 A;
- j) Parking Plan – Layout 4, drawing no. NE-29-11 A;
- k) Boundary Treatment Plan – Layout 1, drawing no. NE-29-12 A;
- l) Boundary Treatment Plan – Layout 2, drawing no. NE-29-13 A;
- m) Boundary Treatment Plan – Layout 3, drawing no. NE-29-14 A;
- n) Boundary Treatment Plan – Layout 4, drawing no. NE-29-15 A;
- o) Refuse Strategy Plan – Layout 1, drawing no. NE-29-16 A;
- p) Refuse Strategy Plan – Layout 2, drawing no. NE-29-17 A;
- q) Refuse Strategy Plan – Layout 3, drawing no. NE-29-18 A;
- r) Refuse Strategy Plan – Layout 4, drawing no. NE-29-19 A;
- s) Facing Materials Plan – Layout 1, drawing no. NE-29-22 A;
- t) Facing Materials Plan – Layout 2, drawing no. NE-29-23 A;
- u) Facing Materials Plan – Layout 3, drawing no. NE-29-23 A;
- v) Facing Materials Plan – Layout 4, drawing no. NE-29-25 A;
- w) Housetype Portfolio, drawing no. NE-29-21 C;
- x) Phasing Plan, drawing no. NE-29-20;
- y) Planning and Affordable Housing Statement, dated 30th January 2018;
- z) Compliance Statement, reference no. NE-29-01;
- aa) Flood risk Assessment, reference no. 1016512-C-RPT-001 rev. B;
- bb) Drainage Strategy, reference no. 1016512-C-RPT-002;
- cc) Drainage Strategy Documents by Cundall, Johnston and Partners dated 31st January 2018;
- dd) Existing Services Assessment, reference no. 1016512-C-RPT-003;
- ee) Transport Assessment 2nd Issue, reference no. JN1564-Rep-0001.2;
- ff) Residential Travel Plan 1st Issue, reference no. 0002.0;
- gg) Arboricultural Method Statement, dated 24th January 2018;
- hh) Existing Trees Shown on Existing Layout, North East Section, drawing no. EXI NE;
- ii) Existing Trees Shown on Existing Layout, North West Section, drawing no. EXI NW;
- jj) Existing Trees Shown on Existing Layout, South East Section, drawing no. EXI SE;
- kk) Existing Trees Shown on Existing Layout, South West Section, drawing no. EXI SW;
- ll) Tree Protection Plan (TPP) North East Section, drawing no. TPP NE;
- mm) Tree Protection Plan (TPP) South East Section, drawing no. TPP SE;
- nn) Tree Protection Plan (TPP) North West Section, drawing no. TPP NW;
- oo) Tree Protection Plan (TPP) South West Section, drawing no. TPP SW;
- pp) Tree Protection Plan (TPP), drawing no. AMS TPP;
- qq) NHBC Foundation Design, North East Section, drawing no. NHBC NE;
- rr) NHBC Foundation Design, South East Section, drawing no. NHBC SE;
- ss) NHBC Foundation Design, North West Section, drawing no. NHBC NW;
- tt) NHBC Foundation Design, South West Section, drawing no. NHBC SW;
- uu) Ecological Impact Assessment, dated January 2018;
- vv) Preliminary Ecological Appraisal, dated January 2018;
- ww) Energy Statement, dated January 2018;
- xx) Communications Infrastructure Connectivity Statement, dated January 2018;
- yy) Lighting Assessment, reference no. 1016512;
- zz) Noise Impact Assessment, reference no. 6122.2 rev. A;
- aaa) Application Plan, drawing no. 2041-D-40 rev. E;
- bbb) Air Quality Assessment, reference no. NT13578 0001;
- ccc) Phase I Desk Study, reference no. 1001748; and,

ddd) Waste Audit, dated February 2018..

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

3. Sample of materials

Prior to the commencement of development samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of the visual amenities of the area.

4. Construction Compound

A plan showing the location of temporary car parking to accommodate operatives and construction vehicles during the development of the site and measures to protect any existing footpaths and verges shall be submitted to and approved in writing by the local planning authority and implemented upon commencement of construction and thereafter such parking is to be removed on completion of works

Reason: In the interests of amenity and highway safety

5. Details of Roads, Footpaths and Open Spaces Required

Fully detailed drawings illustrating the design and materials of roads, footpaths and other adoptable open spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the start of construction on site.

Reason; In the interests of highway safety.

6. Construction of Roads and Footways Prior to Occupation of Dwellings

No dwelling to which this planning permission relates shall be occupied unless or until the carriageway basecourse and kerb foundation to the new estate road and footpath to which it fronts, is adjacent to or gains access from, has been constructed. Road and footway wearing courses and street lighting shall be provided within 3 months of the date of commencement on the construction of the penultimate dwelling of the development.

Reason; To ensure appropriate access and egress to the properties, in the interests of highway safety and the convenience of prospective residents.

7. Car and Cycle Parking Laid Out

The dwellings hereby approved shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason; In the interests of highway safety.

8. Public Rights of Way and Bridleways

Within 6 months of commencement of the development hereby approved, a Public Right of Way phasing plan detailing both the timing of implementation and construction details of the proposed Public Rights of Way shall be submitted to and approved in writing by the Local Planning Authority.

The approved Public Right of Way phasing plan shall be implemented as agreed, unless agreed otherwise by the Local Planning Authority.

Reason: To ensure appropriate facilities are provided throughout the development in order to promote an active lifestyle and reduce dependence on the private car.

9. Surface Water Drainage

Prior to the commencement of development full details and specifications of the surface water drainage scheme must be submitted to and approved in writing by the Local Planning Authority. The details and specifications must include:

- a) Detailed design including plot drainage and calculations;
- b) Conveyance and exceedence routes;
- c) A build program and timetable for the provision of the critical surface water drainage infrastructure; and,
- d) A management plan detailing how surface water runoff from the site will be managed during construction phase and post construction in perpetuity.

Reason In interests of a sustainable development

10. Foul and Surface Water (NWL)

Development shall not commence until a detailed scheme for the disposal of surface and 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.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

11. Noise Assessment

The approved use shall be developed in accordance with the approved Noise Impact Assessment, reference no. 6122.2 rev. A. Any deviations from the recommendations made in the report shall be submitted to the local planning authority for approval prior to the occupation of the dwellings.

Reason: To ensure a satisfactory form of development in the interests of the amenities of residents.

12. Landscape Scheme

Prior to the commencement of construction of each phase of the development a scheme showing full details of both hard and soft landscape works and a programme of works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

These details shall include: footpath and cycleway links; proposed finished levels or contours; means of enclosure and boundary treatment; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials, minor artefacts and structures (eg; furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg; drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers, densities where appropriate; implementation programme.

Reason: To ensure a satisfactory form of development and to improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area.

13. Landscape Management Plan

A Landscape Management Plan including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the local planning authority prior to the first occupation of the approved dwellings. The Landscape Management Plan shall be carried out as approved.

Reason: In the interests of the general amenities of the area.

14. Tree Protection and Works

Development within each phase shall not commence until:

- a. A plan showing the location of and allocating a reference number to each existing tree on the site which has a stem with a diameter measured over the bark at a point of 1.5m above ground level exceeding 75mm showing which trees are to be retained and the crown spread of each retained tree.
- b. Details of the species, diameter (measured in accordance with paragraph a) above and the approximate height and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraph c) and d) below apply.
- c. Details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site.
- d. Details of any proposed alteration in existing ground levels and of the position of any excavation within the crown spread of any retained tree or of any tree on land adjacent to the site equivalent to half the height of that tree.
- e. Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

Reason: To prevent the loss during development of trees and natural features and to ensure so far as is practical that development progresses in accordance with current best practice.

15. Replacement Tree Planting

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: In the interests of the general amenities of the area.

16. Trees

In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the building for its permitted use.

- a. no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:1989 (with subsequent amendments)(British Standard recommendations for Tree Work).

- b. if any retained tree is removed, uprooted or destroyed or dies during the period of construction another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the local planning authority. Similarly, if a retained tree dies or needs to be removed within five years of completion, and this is found to have been the result of damage sustained during development, this replanting condition will remain in force
- c. the erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. Retained trees shall be protected fully in accordance with British Standard 5837:1991 (Guide for Trees in Relation to Construction). In particular, fencing must not be dismantled at anytime without the prior consent of the local planning authority.

Reason: In the interests of the amenities of the area.

17. Hedges and Hedgerows

All hedges or hedgerows on the site unless indicated as being removed shall be retained and protected on land within each phase in accordance with details submitted to and approved in writing by the local planning authority for the duration of works on land within each phase unless otherwise agreeing in writing by the local planning authority. In the event that hedges or hedgerows become damaged or otherwise defective during such period the local planning authority shall be notified in writing as soon as reasonably practicable. Within one month a scheme of remedial action, including timetable for implementation shall be submitted to the local planning authority. The approved scheme shall be implemented in accordance with the approved timetable. Any trees or plants which within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure avoidance of damage to existing hedgerows and natural features during the construction phase, to enable the development to integrate into the landscape.

18. Bat Survey

Prior to the removal of any trees within the woodland areas as identified on the approved plans detailed in condition 2, a bat survey must be submitted to and approved in writing by the Local Planning Authority, as detailed in the approved Ecological Impact Assessment, dated January 2018 and Preliminary Ecological Appraisal, dated January 2018. The survey will identify the presence of bats on the site and any mitigation necessary. Thereafter the mitigation works will be implemented on site and retained in perpetuity.

Reason: To ensure a satisfactory form of development

19. Ecology

The development must be carried out in accordance with the recommendations detailed in the approved Ecological Impact Assessment, dated January 2018 and Preliminary Ecological Appraisal, dated January 2018.

Reason: To ensure a satisfactory form of development

20. PD Rights Removed - Access
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no vehicular or pedestrian access other than that shown on the approved plans, shall be formed on the site

Reason: In the Interests of Highway Safety.

21. PD Rights Removed - Boundary Enclosures
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no fences, gates, walls or other means of enclosure (other than those expressly authorised by this permission) shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, footpath or open space.

Reason: In order that the local planning authority may protect the visual amenities of the area.

22. PD Rights Removed - Extensions/Alterations and Outbuildings
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no building hereby approved shall be extended or materially altered in external appearance in any way nor shall any ancillary buildings be erected in the curtilage of any property without planning permission being obtained from the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based.

REASON FOR APPROVAL

The proposed development of housing at Grey Towers is considered to be appropriate for both the application site itself and within the surrounding area, in that the proposal is in accordance with national and local planning policy.

The relevant policies and guidance is contained within the following documents: - National Planning Policy Framework 2012 - Middlesbrough Local Development Framework (LDF) - Core Strategy (2008); Regeneration DPD and Proposal Map (2009) - Middlesbrough Housing Local Plan, Housing Core Strategy and Housing Development Plan Document (2014)

In particular, the proposal meets the national planning policy framework and guidance, in that the proposal is for a housing development that would not be out of scale and character within the surrounding area, and would not be detrimental to the local and residential amenities of the area. Issues of principle regarding development on an allocated site, the layout and design of the housing scheme and the generation of traffic, have been considered fully, including those set out in the representations made by nearby residents, and are not considered, on balance, to give rise to any inappropriate or undue affects. Accordingly, the Local Planning Authority considers that there are no material planning considerations that would override the general assumption that development be approved unless other material factors determine otherwise.

INFORMATIVES

Under the Town & Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2010, the Council must charge a fee for the discharge of conditions. Information relating to current fees is available on the Planning Portal website

(<http://www.planningportal.gov.uk/england/public/planning/applications/feecalculator>). Please be aware that where there is more than one condition a multiple fee may apply.

An updated air quality assessment, using a full suite of traffic data, including cumulative traffic flow, should be submitted to the local planning authority when available.

The creation of the agreed Public Rights of Way will require the completion of a dedication agreement on a phase by phase basis. Such agreements are separate to the granting of planning consent. (For further information contact Stewart Williams 01642 728153)

Method of Works Statement

A detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works should be submitted to the LPA for information purposes. Such a statement shall include at least the following information;

- a) a programme of works
- b) the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
- b) where contractors will park
- c) where materials will be stored within the site
- d) measures employed to ensure no mud/detriment is dragged out over the adjacent highway
- e) a jointly undertaken dilapidation survey of the adjacent highway.

The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156), with a view to preparing the necessary drawings and legal work required for the formal adoption of the new highway layout. The S38 Agreement should be in place prior to the commencement of works on site.

Applicants/Developers are reminded that great care should be taken to ensure that no damage to the surface or structure of the public highway is caused. Under the terms of the 1980 Highways Act Middlesbrough Council will seek to recover any expenses incurred in repairing or making good such damage. The applicants are therefore strongly advised to carry out a joint dilapidation survey with the authority prior to and upon completion of, works on site. (01642 728156)

The applicant is advised that the proposed scheme is likely to affect statutory undertakers equipment in the vicinity of the site and that such equipment may require alterations. The applicant should therefore contact all the utilities to ascertain the location of the equipment and any requirements they may have prior to works commencing

The applicant is advised that the proposed scheme is likely to affect the adjacent Public Right of Way. The PROW should remain free to use throughout the works and unaltered without the prior consent of the authorities PROW officer. Any diversions or extinguishments

will require the relevant legal works, which will need to be funded by the applicant and carried out prior to the commencement of works on site. Such legal processes are not guaranteed to be successful.

(For further information contact Stewart Williams 01642 728153)

The applicant is reminded that building materials shall not be deposited on the highway without the specific consent of the Highway Authority.

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public

Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Council's Naming and Numbering representative on 01642 728155.

The applicant must contact Northern Gas Networks directly to discuss requirements in detail.

The applicant is reminded that they are responsible for contacting the Statutory Undertakers in respect of both the new service to their development and the requirements of the undertakers in respect of their existing apparatus and any protection/diversion work that may be required. Northumbrian Water have advised that a Water Main crosses the site and contact with them should therefore be undertaken on this matter before any works proceed.

Case Officer: Shelly Pearman

Committee Date: 04.05.2018

