
APPLICATION DETAILS

Application No:	17/0795/FUL
Location:	Former Sports Ground, Hutton Road, Middlesbrough, TS4 2LG
Proposal:	Erection of 86no dwellings with associated works
Applicant:	Mr Chris Dodds
Company Name:	Gleeson Regeneration Ltd
Agent:	Mr Chris Dodds
Company Name:	Gleeson Regeneration Ltd
Ward:	Longlands/Beechwood
Recommendation:	Approve Conditionally

SUMMARY

The application before Members is a full planning application seeking the erection of 86 dwellinghouses on the former sports ground, off Hutton Road. Being a full application, Members must consider the principle of residential development as well as the detailed matters including the appearance, layout, scale, access and landscaping.

The application site is located in a highly residential area and, despite not being specifically allocated for housing in the adopted local plan, residential use on this site has been firmly established through a number of previous planning permissions. The most recent planning permission was for outline approval in 2010. Since this time, there have been no fundamental changes in local or national planning guidance, and consequently, the development of the site for residential purposes is still considered to be acceptable.

Although a range of issues were brought forward during the consultation process, the main points raised were in relation to the potential increase in traffic and the levels of contamination on the land. Responses from the Council's Technical Services has shown that there would not be any adverse impacts on the safety or capacity of the highway network, and the remediation strategy to address the land contamination is acceptable.

Officers had concerns with the initial scheme, which was considered to portray an unsatisfactory arrangement with separation distances of certain properties being detrimental to the privacy and amenities of future residents. Revised drawings have been submitted seeking to address these issues.

The report concludes that the proposed housing scheme is acceptable development and it is the officer's recommendation to approve subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is the former training ground of Middlesbrough Football Club and is bounded by Hutton Road to the east, Highfield Road to the south, Bilsdale Road to the north and Roseberry Road to the west.

The application site forms a rectangular shape and measures approximately 3.2 hectares in size. The site has been neglected for a number of years and currently comprises overgrown and unkempt open space in private ownership.

The nature and character of the local area is predominantly residential. The houses in the area were constructed in the 1920s and 1930s and comprise a mix of bungalows and houses.

The application seeks full planning permission for the erection of 86 dwellinghouses and associated works, including fencing, vehicular access, landscaping works and provision of open space. The proposed open space would be provided at the southern end of the site (approximately a quarter of the application site).

The proposals include 13 different house types, including 52 semi-detached dwellinghouses and 34 detached dwellinghouses, all being constructed in a typical design incorporating brickwork detail and tiled pitched roofs.

The development would be accessed off Hutton Road, using a vehicular access at the northern end of the site. Most of the properties would front onto the new roads within the development. Eleven properties situated at the southern end would face onto the public open space. A minimum allocation of two in-curtilage parking spaces is provided for each property.

A range of boundary treatments has been proposed in the demarcation of individual plots. Where properties are back-to-back, the rear boundaries would be a 1.8-metre high open-board timber fencing. Most side boundaries of properties will be a 'post and rail' treatment, with 1.8 metre high timber fencing being introduced at various intervals. The front of the properties would be open, having no proposed boundary treatments, as the developer intends for the estate to be open plan in appearance.

Although most trees would be removed (some at the southern end of the site would be retained), to compensate for the loss of trees at the site, a full landscaping scheme has been submitted which details specifications for 46 replacement trees.

PLANNING HISTORY

1. M/OUT/1158/10/P
Outline application for the erection of 90 no dwellings.
Application approved conditionally August 2011.
2. M/FP/1912/07/P
Residential development comprising 75 dwellings.
Approved Conditionally 9th November 2007.
3. M/FP/1709/04/P
Residential development comprising 75 dwellings.

July 2004, Members resolved to approve the application subject to the signing of a Section 106 agreement. The agreement was never signed and the application was subsequently withdrawn.

4. M/OUT/1098/95/P
Outline Residential Development and Provision of Open Space.
Approved Conditionally 6th December 1995.
5. M/074/82
Outline planning application for residential development.
Refused 7th October 1982.

N.B. the application sought permission for approximately 100 dwellings, but during the appeal the applicant indicated a willingness to dedicate 1.5 acres for public open space and reduce the number of dwellings to approximately 80.

The Inspector dismissed the appeal and commented 'it will be apparent that I consider the residential development of the site would be acceptable, provided there is land set aside for public open space and provided there is access to Kildale Road as well as to Hutton Road. However, because access is not a reserved matter and the proposals are for access to Hutton Road only, I am unable to approve this particular outline application.'

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:

DC1 – General Development
CS4 – Sustainable Development
CS5 – Design
H11 – Housing Strategy
H12 – Affordable Housing

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

The application was subject to the usual consultation of local residents. Site notices were also posted at locations surrounding the application site.

Statutory Authorities and Technical Consultee Comments

MBC Planning Policy – no objections.

MBC Environmental Health – no objections.

MBC Waste Policy – no objections.

MBC Highways Engineers – no objections.

MBC Transport Planning – no objections.

MBC Lead Local Flood Authority – no objections subject to condition regarding surface water drainage.

Northumbrian Water – no objections subject to condition of approved Flood Risk Assessment.

Sport England – no objections.

The following representations and objections were received as part of the consultation exercise.

5 Bilsdale Road

- Close to adjoining properties
- General dislike of proposal
- Inadequate parking provision
- Inadequate public transport provisions
- Increase in traffic
- Increase of pollution
- Loss of light
- Loss of parking
- Loss of privacy
- Noise nuisance
- Potentially contaminated land

31 Bilsdale Road

- The land is contaminated.
- The estate is already overcrowded with development. The roads are not suitable for the amount of traffic proposed.
- A further 86 vehicles multiplied by two is unfair and unacceptable.
- The access to the trunk road is already difficult.
- We have run out of space for any further development here.

68 Highfield Road objects

- The traffic in this area is far too busy and will be far worse with more traffic.

70 Highfield Road objects

- Appearance
- Close to adjoining properties
- General dislike of proposal
- Increase in traffic
- Loss of light
- Loss of parking
- Loss of privacy
- Noise nuisance

72 Highfield Road

- We strongly object to the land being used for new dwellinghouses.

84 Highfield Road

- Will lose light into gardens.
- Reduction in property values.
- Loss of peace and quiet (during building works and after).
- Parking is already a problem here.

18 Hutton Road

- Inadequate access provision for the development, the junction is on a bend in the road.
- The development will add extra vehicles onto Hutton Road, in addition to The Ridings and [the approved] flats to the rear of 50-60 Hutton Road.
- A large increase in the potential for accidents.

22 Hutton Road

- Increase in road traffic.
- Increased noise, pollution, and more chances of accidents occurring.
- Impacts on quality of life.
- Our house will be less desirable to live in.
- The safety of children playing will be affected.
- Construction traffic will cause major problems.
- There is only one entrance/exit to the estate.

28 Hutton Road

- The extra traffic is going to be unbearable and dangerous, especially with only one access.
- Getting out of Hutton Road onto Longlands Road by car takes ages.

33 Hutton Road

- There will be an increase in traffic in an already busy and congested area.
- The proposal will cause a loss of privacy and light for existing residents.
- The proposal will be on contaminated land and not suitable for this development.

52 Hutton Road

- Traffic building up with other houses built in the area (e.g. The Ridings and rear of 50-60 Hutton Road).
- The local area is not suitable for lots of traffic.

74 Hutton Road

- General highways and traffic concerns.

40 Roseberry Road

- Air and noise pollution will escalate significantly.
- The additional traffic, which has already had a momentous growth due to the "The Ridings" development, will impact on the infrastructure of the roads (which are in a poor state due to said development).
- For houses backing onto the development, a major concern is the invasion of privacy and a depletion of sunlight to the properties (since properties with gardens backing onto the development are not south-facing they already deal with less sunlight).
- The field provides a nearby green space, which has both environmental and urban benefits.

50 Roseberry Road

- Overdevelopment of the area which includes the Ridings.
- Volume and dispersal of Traffic in already congested area.
- Capacity limitation of local schools.
- Lack of local public transport.
- Concerned that this site is even being considered for residential development, as it is contaminated and unstable.

Councillor J McTigue

- The only exit is onto the already congested trunk road.
- More cars onto Hutton Road.
- It is already difficult to enter Hutton Road from the direction of the town.

Public Responses

Number of original neighbour consultations	157
Total numbers of comments received	15
Total number of objections	13

Total number of support	0
Total number of representations	1

PLANNING CONSIDERATION AND ASSESSMENT

1. The application before Members is a full planning application for the erection of 86 dwellinghouses and associated infrastructure and works. The matters of detail such as design, scale, layout and access must be considered as well as the principle of residential development.
2. The relevant policies in the Development Plan regarding this application are Policy DC1 (General Development), CS4 (Sustainable Development), CS5 (Design) of the Core Strategy (adopted 2008), and H11 (Housing Strategy) and H12 (Affordable Housing) of the Housing Local Plan DPD (adopted 2014). In general terms, these policies seek to achieve high quality development, which is in the right locations and minimises the impact on neighbouring occupiers.
3. The main issues to be considered in respect of this application include whether the location of the site is acceptable, the proposed access arrangements, the impacts of the development on the local transport infrastructure, and whether the design and scale of the development in terms of landscaping and buildings are acceptable. Such issues will be considered against National and Local Planning Policy, technical considerations and all other material planning considerations.

Site History and Use of Land in Principle

4. The application site is not identified for any specific use on the Housing Local Plan Proposals Map, but is simply shown as whiteland (an unallocated site).
5. The site was open land and farming fields between 1856 and 1924. In 1925, the site became a sports ground, surrounded by allotments. A map from 1938 shows the residential properties that now surround the site in place, with the site itself identified as a football ground.
6. As none of the maps from 1956 onwards show any other uses for the site, it is assumed that the clay-pit that was known to have once existed on the site had been back-filled by this point in time.
7. Highlighted in the Relevant Planning History section of the report, this site has been the subject of a number of applications for proposed residential development. This history spans four decades, stemming from the early 1980s, which establishes the principle for development. Most recently, planning applications for 75 and 90 dwellings have been approved in 2007 and 2010 respectively, though works were never implemented. Accordingly, the principle of residential development on this site is deemed to be wholly appropriate. It is also noted that the immediate surroundings are predominantly residential and any proposed residential use would be in keeping with the local area.

National and Local Planning Policy

8. National planning guidance is enshrined within the National Planning Policy Framework (NPPF). The basic doctrine of the NPPF is the plan-led approach and the main principles are the need to achieve good design and sustainable development. Relative to this application, one of the core principles of the NPPF states that local authorities should *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*.

Section 6 of the NPPF provides the guiding principles specific to residential developments, which include *planning for a mix of housing* and *identifying what housing is required in particular locations*.

9. Through the Spatial Vision of the Core Strategy (2008), the Housing Local Plan (2014) and its Policy H1, there is a need to increase the supply of housing to meet the aspirations of the economically active population, which consolidates and builds upon the success of popular neighbourhoods within the town.
10. Local Policy H11 (Housing Strategy) identifies East Middlesbrough as a location where development should diversify tenure and mix to create a more balanced housing stock. The proposed development contains a mix of dwellings from 2 to 4 bedrooms, all of which are proposed for open market sale. This is considered to help diversify both the housing mix whilst increasing home ownership in East Middlesbrough. As a result, the development is considered to be in accordance with H11 and the fundamental principles of the NPPF.
11. National and local planning guidance requires many new housing developments to make a contribution towards the provision of affordable units. Local Policy H12 (Affordable Housing) identifies sites within various wards of Middlesbrough where a 15% affordable housing contribution will be required on residential development. However, it is noted that the application site is in a location not specified within the policy. As a result, there is no planning requirement for affordable housing provision on this site.
12. Policy CS4 requires all development to contribute to achieving sustainable development by creating inclusive communities, ensuring everyone has access to facilities that they need in their daily lives, promotion of a healthier and safer community, being located so that services and facilities are accessible on foot or by sustainable transport, making the most efficient use of land with priority given to development on previously developed land, protecting biodiversity assets, and by delivering development of a high quality design that improves the townscape.
13. Policy CS5 in its own right requires all development proposals to secure a high standard of design that is well integrated with the immediate and wider context, create a safer and attractive environment, and to ensure a quality of new development that enhances the built and natural environment.
14. Core Strategy Policy DC1 attaches great importance to the visual appearance and layout of development and its relationship with the surrounding area in terms of scale, design, amenities of occupiers of nearby properties and the use of materials.
15. As well as the above referenced local policies, the Council's adopted Urban Design SPD outlines guidance in respect of residential development, including appropriate separation distances and design standards.

Appraisal of Proposed Development

16. In respect of Policy CS4, the proposed development is located within 500 metres of the nearest allocated local centre (Longlands/Marton Road) which will be able to provide essential facilities that meet the daily needs of the future residents. In addition, local bus services can be accessed from Longlands Road or Marton Road with regular journeys to the town centre. Overall, the development is considered to be in a sustainable location for new residential development, in accordance with the sustainable development criteria of Policy CS4.
17. When considering a proposed development of this size and scale, an important factor to take account of is the potential impact of the development on the character and

appearance of the area. However, given the location of the proposed development predominantly behind the existing houses along Hutton Road, Highfield Road, Roseberry Road and Bilsdale Road, it is considered that the character and appearance of the area will remain largely unchanged. The only element that would be plainly perceptible outside of the application site would be where the vehicular access is proposed, and between Nos. 17 and 19 Hutton Road. However, it is considered that the proposed development would provide a high quality appearance onto Hutton Road and be in keeping with the surrounding residential area.

18. The scale and mass of the dwellinghouses and their plot sizes are considered appropriate for this location. The proposed development is at a medium-high density and reflects similar densities of other housing in the area. Although there are some separation distances within the development site that are less than the requirements set out in the Council's adopted Design Guide, it is considered that these are acceptable in this instance. Concerns were raised by officers that the separation distances between certain plots on the initial submitted plans were unsatisfactory and the developer has resolved these concerns. It is also noted that all separation distances between the dwellinghouses of the proposed development and the existing houses on Hutton Road, Highfield Road, Roseberry Road and Bilsdale Road are acceptable and meet the standards within the Design Guide. In light of which, it is considered that the proposed development would not jeopardise the living conditions of existing or future residents.
19. The boundary materials within the development site are predominantly timber fencing and post and wire treatment. Only parts of the timber fencing would be perceptible from any public place, as the majority of this fencing would be along rear boundaries. However, the fencing that is visible is considered to be in keeping with the character and appearance of a modern housing estate. Officers have previously expressed concerns that the proposed post and rail fence treatment within rear gardens is not considered to provide future residents with adequate security and privacy. However, future residents will have the chance to upgrade to a 1.8-metre high fence without the need for planning permission, should they wish to do so.
20. It is the planning view that the proposed dwellinghouses have a sufficiently high quality design and will be built using appropriate materials for this location. The dwellings have been designed taking the range of materials and styles of existing buildings in the locality into consideration and aim to reflect the character and tone of the area. The list of materials detailed earlier in this report is judged to be acceptable for the finishing materials, as they would complement the existing housing stock.
21. Taking the above into account, it is considered that the proposed residential development would complement the existing character and appearance of the wider Longlands area and would not be visually obtrusive when seen from Hutton Road. The proposed development is therefore considered to be in complete accordance with Policies DC1 and CS5.

Impact on Traffic and Travel Patterns

22. In terms of traffic generation, based on the nationally recognised TRICS database, a residential development of this scale can be expected to generate in the region of 49 and 54 vehicular movements during the AM/PM peak network hours respectively. This level of traffic equates to less than one additional vehicle every minute during the peak network hours. Such an increase in traffic is deemed to be negligible and will not be perceivable when considering daily traffic fluctuations and existing traffic flows on the adjacent network. In view of these matters, the traffic generated by the proposed development is not judged to have a material impact on the free flow of traffic or operation of adjacent junctions.

23. Access to the site is from the A172 Longlands Road via Hutton Road. A new priority junction onto Hutton Road is proposed to serve the site. Visibility at the proposed site access is in accordance with national guidance. It is noted that on-street parking occurs along Hutton Road and, as such, officers have recommended that bollards or other appropriate verge protection is provided as part of the scheme to prevent vehicles parking close to the site access. Overall, the access is considered suitable to serve the level of development proposed and will not give rise to any highway safety issues.
24. The accident history for the stretch of adjacent highway has also been investigated. This has demonstrated that there are no accident patterns or clusters of accidents that could be exacerbated by the proposed development.
25. The internal layout of the site has been designed with features to restrain vehicle speeds to 20mph or below. Vehicular parking within each plot has been provided in accordance with the maximum standards. The internal layout will be constructed and offered for adoption as public highway through Agreement under the Highways Act. Vehicle swept paths have been submitted and these demonstrate that a refuse vehicle can enter and turn within the site enabling them to leave in a forward gear. The layout of the site is, therefore, considered acceptable in highways terms.
26. With regards to the sustainability of the site in highways terms, the site is considered to be in a sustainable location with good pedestrian and cycle facilities in the local area. As noted earlier, local facilities and bus stops are within nationally recognised walking distances of the site. Covered and secure cycle parking is provided for each dwelling to further reduce dependence on the private car.
27. In conclusion, there would be no objections to the proposed development from a highways perspective.

Site Investigation and Land Contamination

28. As referred to in the Site History section, a clay-pit once existed on the site. The natural ground consists of glacial clays with alluvial gravels. Above this is 'made' ground, varying in thickness of approximately 1 metre to 6 metres and consisting of soil containing ash, clinker and slag. The varying depth of the made ground is likely to follow the contours of the former clay-pit, with the deepest area in the middle of the site, and the shallowest areas round the edges. Local variations are thought to be access ramps between the levels within the pit.
29. The proposed remedial works include 600mm capping layer installed in all gardens and 300mm capping layer in all landscaping areas across the proposed development site using clean imported or clean site won soils, incorporating a minimum of at least 100mm of topsoil at the surface. In conclusion, the remediation strategy submitted to the Council is considered wholly acceptable. A standard condition is recommended requiring the submission of a validation report to verify that all remedial works were completed on site.

Drainage

30. The application site is located in Flood Zone 1, which denotes a very low risk of flooding. As the development site is greater in size than 1 hectare, national planning legislation requires a site specific flood risk assessment (FRA) be carried out to ensure that the development is safe from flooding and will not increase the risk of flooding elsewhere. In order to consider the flooding implications, the application has been supported by a detailed FRA and the Lead Local Flood Authority and the Environment Agency have been consulted accordingly.

31. At the time of writing, however, the Council and the developer are still in discussion over an acceptable drainage scheme and its future maintenance. It is anticipated that this information will be received prior to the Committee Meeting and an addendum report will be prepared to inform Members of any agreed scheme. Until an approved drainage design and strategy is agreed, a suitably-worded condition requesting details for sustainable drainage is recommended.

Landscaping

32. Due to the history of the site being for sports use and given its levels of contamination, landscaping has not fully established on the site with much being self-seeded trees and shrubs. Notwithstanding, there are areas of the site which are home to semi-mature trees. Many of these would be removed as part of the proposed works. To supplement the proposed residential development, and to compensate for lost planting, a generous and specified tree planting scheme has been proposed, the details of which are considered acceptable. A suitably-worded condition is recommended to secure planting for the development.

Conclusions

33. On the whole, it is considered that the proposals are for a high quality sustainable development, which will contribute to economic growth in the town and provide a broad mix of housing in this part of Middlesbrough.
34. The report has assessed that the principle of a housing development is acceptable owing to a history of approved schemes for residential development, as well as the proposals being in keeping with the surrounding residential area. It has also been appraised that the design of the proposed houses and the site layout is of a high quality and fully in accordance with relevant local policies, namely Policies CS5 and DC1. The issue of contamination has been considered and it has been concluded that the submitted remediation strategy is acceptable and would allow a residential development to take place on this site. The proposed landscaping scheme is considered to be suitable for a residential development of this scale and provides appropriate compensation for the loss of the existing trees on site.
35. Equally critically, the report has discussed the transportation and traffic impacts of the development. Ultimately, the proposals are considered acceptable in highways terms and there would not be any unduly harmful impacts on the local highway network and wider surroundings.
36. Overall, it is the planning view that the proposals will neither have an adverse impact on the character of the area nor any nearby residents. The above analysis has addressed the objections raised during the consultation period and none of the comments are considered to warrant refusal of the application. Moreover, the proposals do not conflict with any local or national planning policies and they support the delivery of the spatial vision set out in the Local Plan, particularly the provision of required housing types and economic benefits. The analysis has shown that there are no technical reasons why the proposed development should be refused and it is the recommendation to approve conditionally.

RECOMMENDATIONS AND CONDITIONS

1. Approved Plans

The development hereby approved shall be carried out in complete accordance with the plans and specifications listed below.

- Location Plan (1516.01.01)
- Housing Layout inc. Materials (1516.04.01 rev B)
- 201 Dwelling Type (201/1F)
- 202 Dwelling Type (202/1F)
- 301 Dwelling Type (301/1G)
- 303 Dwelling Type (303/1E)
- 304 Dwelling Type (304/1E)
- 307 Dwelling Type (307/1B)
- 309 Dwelling Type (309/1E)
- 310 Dwelling Type (310/1D)
- 311 Dwelling Type (311/1A)
- 314 Dwelling Type (314/1)
- 401 Dwelling Type (401/1G)
- 403 Dwelling Type (403/1H)
- 405 Dwelling Type (405/1E)
- Boundary Treatments (1516.06.01 rev B)
- Boundary Treatments 1800mm High Timber Fence (SD-100 rev D)
- Boundary Details Post and Wire Fence (SD103 rev B)
- Garage Threshold / Gravel Aggregate Drive Details (SD712 rev G)
- Terraced Garage Details Standard Double (SD703 rev B)
- Detached Garage Details Double (SD701 rev A)
- Detached Garage Details Single (SD700 rev A)
- Landscaping Layout (1516.07.01 rev B)
- Site Access rev A
- Longitudinal Road and Sewer Sections (4866-C-D2-01)
- Engineering Layout (4866-C-D1-02)
- Strategy for Remedial Works Report C6321A

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

2. 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.

3. Approved Materials

All external surfaces of the dwellinghouses hereby approved shall be in accordance with the following materials schedule and detailed within the approved Housing Layout drawing.

- a) Brickwork: Forterra Abbey Red Multi
Contrasting brickwork: Forterra Oatmeal Buff Multi
Roof tile: Plain Profile Concrete tile in Dark Grey
- b) Brickwork: Forterra Oatmeal Buff Multi
Contrasting brickwork: Forterra Abbey Red Multi
Roof tile: Plain Profile Concrete tile in Terracotta Red

Reason: In the interests of an appropriate development and to ensure the use of satisfactory materials.

4. **Validation Report**

Prior to the occupation of any dwellinghouse of the development hereby approved, a Validation Report shall be submitted to and approved in writing by the Local Planning Authority. The Validation Report shall confirm that all the proposed remediation works set out in the approved Strategy for Remedial Works (report C6321A) by Sirius have been completed.

Reason: To ensure the appropriate decontamination of the site in the interests of safety, local amenity and the amenities of the potential occupiers of the site.

5. **Approved Flood Risk Assessment**

The development hereby approved shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment" dated "November 2017". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 6101 and ensure that surface water discharges to a dedicated highway drain which will connect back into the combined sewer with a restricted flow of 5 l/sec. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

6. **Sustainable Drainage Systems**

Before the construction of the development hereby permitted commences, a scheme for a Sustainable Drainage System (SuDS) and management plan, which shall sustainably drain surface water, minimise pollution, manage the impact on water quality and prevent water from flowing onto the public highway, shall be submitted to and approved in writing by the Local Planning Authority and thereafter to be fully implemented in line with the agreed programme of works.

Reason: In the interests of highway safety, to minimise the risk of flooding and to secure a sustainable development in accordance with local policy CS4 and the general principles of the National Planning Policy Framework.

7. **Highway Construction Details**

Before any construction of the proposed adopted highway commences, full details of the construction and materials to be used on the proposed adoptable highway including finished levels, gully positions, layout and material build ups should be submitted to and approved in writing by the Local Planning Authority and thereafter the work to be carried out to their satisfaction.

Reason: In the interests of highway safety.

8. **Protection of Footpaths/Highway Verges**

Before any construction of the development hereby approved commences, details of measures to protect any existing footpaths and verges shall be submitted to and approved in writing by the Local Planning Authority. Any approved measures will then be implemented upon commencement of construction and thereafter these measures should be removed on completion of the works.

Reason: In the interest of highway safety and protection of the highway.

9. **Soft Landscaping**

The tree planting and associated landscaping works, as detailed on the approved Landscaping Layout drawing, shall take place during the first

available planting season (October-March) following the completion of building works on the site. The Local Planning Authority shall be notified within two weeks of the landscape planting works.

Reason: To ensure the satisfactory implementation of an approved landscaping scheme in the interests of the visual amenities and landscape features of the area.

10. Landscape Management Plan

A landscape management plan, including management responsibilities and maintenance schedules for a minimum of five years, and including arrangements for its implementation, for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the development for its permitted use. Thereafter, the approved landscape management plan shall be carried out as approved.

Reason: To ensure the satisfactory implementation of an approved landscaping scheme in the interests of the visual amenities and landscape features of the area.

11. Replacement 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 and a satisfactory landscaping scheme.

12. Fabric First/Renewables

No development hereby approved shall be commenced on site other than initial groundworks until a 'Scheme of renewables or a fabric first approach' has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the predicted energy requirements of the development post completion and under normal operating use and will also detail how 10% of the predicted energy requirements will either be generated on site by renewable technologies or how the fabric of the building shall be constructed to reduce the predicted energy demand in exceedance of the current Building Regulation Standards by 10%

The development shall be undertaken in accordance with the approved scheme which shall then be maintained in an operational state for the lifetime of the building.

Reason: In the interests of a sustainable development and in accordance with the guiding principles of the NPPF.

REASON FOR APPROVAL

The proposed development of 86 dwellinghouses on the former sports ground, Hutton Road is considered to be appropriate as it is in full accordance with national and local planning policies, statements and guidance.

In particular, the proposal meets the National Planning Policy Framework, and the policies regarding housing, sustainable development, the efficient use of land, appropriate scales of development, the protection of open spaces of different characters and uses, good quality design, and transport and accessibility, whilst proposing 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 the layout and design of the housing scheme and the generation of traffic have been considered fully 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

Informative: Waste/recycling matters

Please note that where properties are accessed by a shared drive, these properties will need to deliver their refuse and recycling to the nearest highway for collection.

Informatives: Highways related matters

The development will be designed and constructed in accordance with the current edition of the Councils Design Guide and Specification.

The highways which are to be constructed as part of this development will be offered for adoption under Section 38 of the HA 1980. To protect this position, notice will be served under Section 220 of the same act once Building Regulation approval (or initial notice acceptance) has been given. The applicant is therefore urged to consult
This agreement should be completed before work commences

The applicant is strongly advised to contact the Highway Authority (tel: 01642 728156) prior to any work commencing on site in order that a pre-inspection of the highway can be undertaken and agreement reached on suitable protection to prevent damage to the highway during construction. Failure to do this may result in the Highway Authority using powers available to them to impose such restrictions they deem necessary to protect the existing highway. Any damage that does occur will be deemed the responsibility of the person undertaking the work along with the liability for reinstatement.

Interference or alteration of the highway requires a licence under the HA 1980. Connections to public sewers in the highway require a licence under NRSWA 1991. The applicant should contact the Highway Authority (tel: 01642 728156) before any work commences on site, allowing a minimum of 7 days notice, or 30 days in the case of a NRASWA licence, if either or both of these licences are required.

The applicant is reminded that it is the responsibility of anybody carrying out building work to ensure that mud, debris or other deleterious material is not deposited from the site onto the

highway and, if it is, it shall be cleared by that person. In the case of mud being deposited on the highway wheel washing facilities should be installed at the exit of the development.

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 Councils Naming and Numbering representative on (01642) 728155

It is essential that early discussion take place with the Highway Authority (tel: 01642 728156) to discuss the effect on the surrounding highway network during the construction of this development.

The proposal will require major alterations to the existing highway network that will require a Section 278 agreement (HA1980) between the developer and the Council as Highway Authority. The applicant is urged to consult early with the Highway Authority (tel: 01642 728156) to discuss these proposals. This agreement should be completed before work commences. A commuted sum will be required for the maintenance of the proposed highway drainage.

Case Officer: Peter Wilson

Committee Date: 2nd March 2018

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